THE INFLATION GAME JOHN L. HESS

THE NATION

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Liederman

The Chaos of Immigration Policy
JOHN S. ROSENBERG

THE CASE OF THE MISSING INTELLIGENCE CHARTERS
George Lardner Jr.

Murder, Inc. in the Middle East: Blood Feuds Among th
Christopher Hitchens

GRIFFIN BELL & INF
Adrian W. DeWind and Morris B. Abram

"LYING": A SYMPOSIUM REVIEW
Sanford Levinson & Fred Powledge

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LETTERS

free speech and Nazis

New York City

A recent article by Carl Cohen, entitled "Genocide and the Nazis: The Case Against Group Libel" [*The Nation*, June 24], defends the right of the Nazis to free speech.

I quote one sentence: "But there is also value for us in . . . hearing their crudeness and superficiality, in allowing them to exhibit their inhumanity and seeing its failure to gain support."

The last few words make me wonder how he would think and react if the Nazis did gain support and did become a serious threat. . . . *Lee Mandell*

on political prisoners and Young

New York City

It is painful to see *The Nation*, in the editorial by Josh Martin ["Andrew Young Is Right," August 5-12], approve and replicate in wooden terms the regrettable and insensitive remarks of Andrew Young on the Shcharansky trial. One hopes neither *The Nation* nor Mr. Young will so often pass a vital point in so injuriously doctrinaire a fashion.

The question put to Mr. Young was about Shcharansky. Standing, as he does, on a high pinnacle, addressing the whole world, lit by the brilliance of his own person and his record, Mr. Young is chargeable with knowing what the subject was and how his words would be heard. So what—especially as the audience heard and relayed it—did he say? He said in effect, "Now let's us not get so almighty wrought up about old Shcharansky. We in Amerika got lots of political prisoners. I myself have been one."

To be sure, Andrew Young, in his heart, may not really and truly have meant that. And, no, he doesn't spell America with a "k." But words have contexts that make all the difference. And the message, especially to the Third World where Mr. Young is (rightly and deservedly) heard so loud and clear, was about as paraphrased above.

That's the horror missed by Mr. Young and *The Nation*. Of course, the United States has a frightfully large prison population, with racial minorities grossly overrepresented. All of us owe a primary duty to work fiercely against this and other evils close at hand. The point remains, that wasn't what Mr. Young was asked about.

When he is asked to speak out on Rhodesia or Namibia, Mr. Young does not disdain those concerns for human freedom by talking about Alabama or Georgia or New York or —forsooth—his own sojourns in jail. He dignifies and faces the questions that are relevant at the moment. Unless he is himself the victim of the racism he has fought so courageously for so long, he should do no less for Shcharansky and the other victims of Soviet lawlessness.

Our leaders, who should include Mr. Young at the very top, are supposed to be fighting for the brave human rights promises and international commitments of the Helsinki Final Act. It is a noble fight, though "success" is hardly a sure thing. The Shcharansky trial is a dramatic and appalling case in point. The opportunity was given to Mr. Young to strike a blow not merely for Shcharansky but for the far wider human concerns he typifies. Mr. Young chose, ostentatiously, to take another tack. His response told the world how specially he cares about some things. It seemed to say, intentionally or not, how specially he doesn't care about other things—and people.

As a distant admirer, I genuinely suspect (and hope) Mr. Young didn't quite mean to do that. But *The Nation* helps not at all by applauding what was a blunder at best, and a callous act of feckless brutality at worst.

Marvin E. Frankel

Marvin Frankel is a U.S. District Judge who has tendered his resignation effective September 30.

EDITORIALS

Lies, Lies, Lies

More than two years have passed since the Church committee documented the systematic lies and deceptions engaged in by our intelligence agencies and nothing has been done about it. To find out why not a single reform has been enacted, we asked George Lardner Jr., who follows these matters for *The Washington Post*. His distressing report (see p. 168) suggests that the American people have been lied to yet again, this time by the Congress which promised quick action.

A few months ago we asked John Rosenberg, a frequent *Nation* contributor, to look into the plight of aliens and denaturalized citizens deported from this country under the McCarran-Walter Act during the cold-war years. He decided to begin by looking at the present state of the law and what he found (see p. 174) suggests that for some time the Emma Lazarus poem at the base of the Statue of Liberty ("Give me your tired, your poor, your huddled masses yearning to breathe free," etc.) has been a lie. Rosenberg will continue his research and further findings will appear in future issues. Anyone who is in touch with a family that was deported during these years is urged to write John Rosenberg, c/o *The Nation*.

John Hess, anxious to arrive at the truth about inflation (p. 178) ironically begins with former Treasury Secretary William Simon's book, *A Time for Truth*, written by a ghost—a literary lie.

Hence our decision to invite not one but two reviewers to comment on Sissela Bok's inquiry into the morality of lying. (p. 181): One, Sanford Levinson, who teaches the famous Princeton course on civil liberties, morality and politics originated by the late H.H. Wilson, a contributing editor to *The Nation*; the other, Fred Powledge, (p. 182) a free-lance writer. No sooner had Powledge turned in his review, observing in passing that General Motors lied to over 100,000 people about the kind of car they were getting (they put Chevrolet engines in Oldsmobiles), than a story appeared in *The Washington Post* of August 13, revealing that the Environmental Protection Administration discovered GM's lie before it became public but said nothing about it.

Elsewhere in the issue is Christopher Hitchens's account of delivering a menacing warning from one Palestinian to another, which turned out to be the truth—a man was murdered (p. 172). He tells this story in the course of his analysis of fratricide among the Palestinians.

Rafshoonism and Carterism

It is quite astonishing, and very revealing, that President Carter has placed at his right hand the Atlanta advertising man Gerald Rafshoon. And what this Assistant to the President for Communications is actually doing for his $56,000 salary is even more surprising. Rafshoon is, in effect, the disciplinarian, the drillmaster, of the executive branch. His job is much more than just polishing the boss's "image" with standard public relation

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techniques. He sets priorities of policy even for the President and it is clear that his writ runs large throughout the whole Executive establishment.

Now, this is not the first time that a President has made of an imagist a key staff person (Truman had his Reinsch and Eisenhower his Hagerty). But never before has such a functionary been so closely meshed with the Executive machinery or had such weight in the substance of policy and management. It is not a reassuring development in the Carter Presidency. And, it must be said, its effect is likely to be the opposite of the intended one—to make President Carter appear to be firmer and more in command of the ship of state.

Rafshoon, a professional "communicator" (salesman?), made the mistake of candidly revealing the rationale of his function to the columnist Joseph Kraft (who returned the favor by endorsing the "lick of discipline" he saw Rafshoon as bringing to the disorder in Carter's house). What he seemed to be saying was that Carter's drooping popularity, and therefore his ineffectiveness, was due to errors of action and reaction, not to mere matters of perception or image. Substantive stuff, that.

In sum, he declared that Carter came into office having vastly overpromised (which is surely true) and then twice "overreacted"—first with a hugely ambitious legislative program complete with "deadlines" for its passage, and then, when that inevitably stalled in the stubborn Congress, becoming "too accommodating, too willing to compromise." Hence the appearance of indecisiveness and of lacking will, not to say power. The cure for that? "To get hold of the government and apply discipline," or so said Rafshoon.

Rafshoonism so far has consisted of Carter's public rebuke to Ambassador Andrew Young for his musings on "political prisoners" here and there, of standing up to Senator Kennedy and not retreating "one inch" when the Massachusetts Senator tried to pressure him into putting some muscle into his flabby national health insurance proposal, of forcing the resignation from the White House staff of the embarrassingly outspoken Midge Costanza, along with the brisk ousting of Dr. Bourne from those precincts when he got caught with his hand in the tranquilizer jar. We are given to understand that even more striking and vigorous Presidential actions, or postures, lie down the road—such as a maximum effort to push through the Civil Service reform proposal, which would seem to have a snowball's chance of survival in this hot Washington summer.

It is not certain that Rafshoon had anything to do with the administration's inept and almost comical handling of the tax cut bill in the House. If so, piggybacking and credit-grabbing are in his bag of tricks. But in this instance all that the effort produced was laughter on the floor and bitter sarcasm from Speaker O'Neill. ("What is the administration's proposal?" said that irritated worthy, "I don't know what it is. Does anybody know what it is?") And, speaking of the Speaker, Rafshoon would doubtless like to place himself at a safe distance from the unbelievably hay-footed handling of the dismissal of O'Neill's close friend Robert Griffin as deputy chief of the General Services Administration and the undignified scramble to find him another job (he landed in

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the White House).

To be fair to Carter, as one struggles to be, he must deal with a Congress with the bit between its teeth but hardly running away—in fact, it is going nowhere. Its stately drifting in circles can be ascribed in part to the whirlpool left in the wake of Nixonism, and any President would have trouble heading it in any direction at all. But Carter, who obviously had no idea of the nature of the "Washington establishment" he so enjoyed attacking in his campaign, has handled this contrary body with an extraordinary lack of tact or feel for its concerns, both trivial and serious, and he has lost all standing with it.

Rafshoon might call that a "leadership problem and opportunity," but if he thinks his client can gain some clout with the legislature by "standing up to it," he had better think again. Carter is hardly in the situation of Truman in 1948 when he ran against a Congress that was Republican-dominated, and won. The Congress Carter must work with, or against, is, of course, two-thirds Democratic. One must hope that his commendable veto of the dissent authorization bill—the first veto of a major arms bill since Polk's in the 1840s—was for reasons of substance, not Rafshoonism. Carter says he did it to block yet another useless nuclear aircraft carrier.

All of this, plus the puzzling nature of Carter himself, gives the disciplinarian Gerald Rafshoon a task worthy of the wiliest vizier, in which light there is no reason to regard him. His job is more than just that of a puppeteer, and out of respect for the office of his patron one must reject the comparison to the ventriloquist and his wooden figure. But it is more than a little disturbing to find a person of Rafshoon's particular background and experience daring to pretend that he will keep the Cabinet in line and control the substantive priorities of a Presidency. The simple act of placing a Rafshoon in that position is a bad blow to the "image" of President Carter.

The Militarization of Politics

All is not necessarily well that ends well—the first time. The Skokie controversy which attracted worldwide media attention for a year and a half has temporarily concluded with two public rallies—one on June 24 and a larger demonstration on July 9—that caused no major damage or violence. But these meetings did not put an end to the controversy: Frank Collin, the local Nazi leader, plans a still larger demonstration in October, when he hopes to attract 10,000 supporters. Part of the Nazi strategy in such demonstrations is to return again and again to the same sensitive local area, and the probability of violence rises with each provocation.

Luckily, in the first round, all the parties save Collin and his roughnecks behaved commendably. Despite heavy financial losses through membership cancellations, the ACLU upheld the right of free speech with courage and firmness. The Chicago police appear to have acted responsibly. The counter-demonstrators were noisy and angry but kept their protests within manageable bounds. The reporting was better than might have been expected, with high marks to Charles T. Powers of the *Los Angeles Times* for a fine study of black-white divisions in the Marquette Park area of Chicago where the meeting and march were finally held.

The courts, state and federal, acted firmly if a bit belatedly; a black federal district court judge made the key ruling and a Jewish attorney represented the ACLU. In the Marquette Park area a white Lithuanian immigrant community is separated by Western Avenue from a largely black community; the whites are vaguely anti-Jewish and determined to resist black infiltration. Western Avenue is a racial-ethnic frontier which blacks cross at their peril at any hour of the day or night. One Lithuanian resident told Powers that "the white people who live here don't want blacks in the neighborhood. And the white people who live here support the Nazis because they're the only ones who are trying to stop the niggers." Obviously this was fertile ground for Nazi agitation, but both the whites on their side of the line and the blacks on theirs remained relatively indifferent to the provocation. However, at the July 9th meeting Jewish and black groups were kept from marching into the park where the Collin rally was staged and there was considerable miscellaneous violence and sixty-five arrests. Fitzgerald Whitney, a black photographer for the *Los Angeles Times,* was forced to turn back from taking pictures by hostile whites. "It was a walk through terror," he said.

One can only speculate on what might have happened if the rallies had been held in Skokie, where a third of the 69,000 residents are Jewish, thousands of them survivors or relatives of survivors of the Holocaust. And the outcome of the Skokie controversy leaves some cause for future concern. The ACLU's position was firm and clear-cut but the opposition found it difficult to formulate a position. Some were willing to throw the First Amendment out the window; they even resented the fact that the police acted properly. Others wanted to confront Collin and company with counter-demonstrations—that is, to oppose the threat he represented in a political fashion. Then there were those who wanted to ignore the Nazis as insignificant, a band of kooks out to attract the media attention which they got in full measure. Still others argued that the meetings constituted "willful infliction of emotional harm" on Jews and blacks in general and Holocaust victims in particular. But in a multiracial, multiethnic, multireligious democracy such as ours, groups and individuals frequently suffer "emotional harm" from political agitations; I have been called some pretty vile names in the course of political debates and discussions. Finally there were those who invoked the doctrine of "group libel," but this cannot be done without some restriction on free speech. Nor will it do to argue that to permit the meetings would provoke violence among the spectators; the so-called "heckler's veto" theory. People can always avoid rallies if they wish and, besides, even a meeting of pacifists can stimulate violent reactions from hawks. So legally and constitutionally the ACLU's position was unassailable. Nevertheless, the controversy largely ignored an issue that warrants careful study if future disturbances of this sort are to be kept in hand.

This undiscussed issue is the militarization of politics and the use of paramilitary units organized, trained, and equipped to display or employ physical force on behalf of

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an alleged political objective. Nazi-type agitation is essentially military in character. Ideas are replaced by slogans, slurs and obscenities; the goal is to provoke violence. The problem—and it is tough—is to determine how to keep the militarization of politics from undermining the political structure and normal political processes. But what constitutes the militarization of politics? Wearing uniforms alone is probably not enough; many groups wear uniforms. Yet uniforms are one means whereby authoritarian movements advertise themselves. In the 1930s, Denmark, Sweden, Norway, Holland, Switzerland, Ireland, Finland and finally Great Britain had to impose restrictions on the wearing of uniforms, and it is a matter of record that Sir Oswald Mosley's Black Shirt movement began to decline once uniforms were banned in marches and street demonstrations. Uniforms help Nazi-like groups to usurp the functions of the police, on the ground that they are helping maintain law and order. It is always their opponents, they claim, who create the disturbances.

Salutes, like uniforms, are not important per se; all sorts of groups raise their arms in salutes, often with clenched fists, and some have been known to thumb their noses at their opponents. What is important is the recruitment of small armies or defense units, recruited, trained, equipped, paid, and used as paramilitary units. Mosley's defense unit, so-called, probably never numbered more than 300 or 400 men, but they knew how to incite violence, break windows, and engage in street fights. The London police found that they had to engage in all-night patrols and call up large reinforcements to protect the Black Shirts whose marches and processions were creating the violence of which they complained. Invariably such marches were staged in the same target area, London's East End, and the counter-demonstrations grew ever larger and more obstreperous, increasing the burden on the police.

It is one thing for the Chicago police to protect twenty-nine Nazis at a closely guarded rally, but what if the number were 2,000 and the counter-demonstrators numbered 10,000? The British authorities were extraordinarily tolerant of Mosley's activities, but eventually the Public Order Act had to be adopted because the police were unable to cope. Under this Act, police could control and regulate marches and processions with the approval of the Home Secretary and could ban demonstrations, in particular areas, for limited periods of time. Given the stagnant character of national politics in America today and the distrust in which parties and politicians are held, it is not surprising that Nazi-like groups have been springing up here and there: revived KKK activities in parts of the South and in California (at Fallbrook and Ventura), with Nazi groups in San Francisco and activities of the kind represented by Collin in Chicago. At the moment these groups are important only as symptoms. But they present a problem for the future.

The militarization of politics is not per se a free-speech issue; it is basically a problem in public order. We may not have to face it on a major scale but in theory "it could happen here." Skeptics would do well to read Robert Benewick's 1969 study, *Political Violence and Public Order*, which is a closely documented investigation of Mosley's movement in Great Britain. The American political tradition, fortunately, looks with disfavor on goose-stepping, and the German Nazi experience is still fresh enough in memory to fortify this tradition. But self-congratulation is not in order in the wake of the two rallies in Marquette Park, but rather some hard critical thinking about the militarization of politics as a potential threat to a democratic order.

CAREY MCWILLIAMS

News Vacuum

It is surely a matter of complete indifference to the rest of the country that New York City is having to do without daily newspapers these days and that this state of diurnal deprivation is apt to go on for quite a while. (The publishers of the three dailies seem determined to break the pressmen's union, with its old-fashioned manning practices, and it is convenient to try that during the relatively adless dog days.) Nevertheless, there seem to be a few lessons to be learned from this informational drought in the country's largest city.

The clearest of them is the absolute hopelessness of the broadcast as against the printed word as a source of information. Jefferson would never have uttered his famous line about the decision he would make if it came to a choice between government and newspapers if broadcasting had been the alternative to government. Forgettable drivel is the product of tube and loudspeaker during these printless days. The shortage of information is only accentuated by the lengthened span of the "news" broadcasts on the dozens of outlets whose transmitters afflict our ears from dawn to dawn.

The day begins with a "personality" announcing that, absent the print medium, TV will be happy to run ads at bargain rates. The "expanded news coverage" the broadcasters assure the public it is getting means no shortage of the standard soaps, fluff and talk shows—they just tack an extra half hour here and there on the regular news programs, padding mightily. There are added goodies such as Imogene Coca reading the comics and a gossip columnist spouting her items, with just an occasional infusion of heavier fare on politics or the economy.

What might be called the hard-core news, the elements with a factual flavor, seems to be limper than ever, apparently suffering from the absence of *The New York Times* from which to steal substance. It is worth noting that much of the "expanded" news is taken up with interviewing people on how long the newspaper strike will last, almost as if broadcasting were eager to lay down its unaccustomed informational burden.

While all this was going on, or rather not going on, at least in print, there were a couple of developments affecting the environment of broadcasting itself. One of them was in the bottle-rape case against NBC claiming that this dreadful crime against a little girl was stimulated by a scene in one of its shows—the judge (quite correctly, in our view) threw the case out on First Amendment grounds. Another was the hassle over whether a producer at another network paid participants in a "documentary" about young criminals and therefore staged it. In the first case, one suspects that, if the rape case trial had gone on, the most honest defense the net-

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work could have made, if it chose to do so, would have been "what's so special about this?—we all have bloodier, more sadistic violence on the air all the time."

There has been one other development in the broadcast news business that we think should concern all electronic journalists and, beyond them, the public. It occurred with the changing of the management guard of *CBS News,* which has a deserved reputation as the best and most scrupulous of the three major commercial networks' news organizations. Edward R. Murrow set the standards there a generation ago and they have generally been observed.

CBS announced that upon the retirement of Richard Salant, he would be replaced by William Leonard, whose most recent job with CBS has been as the corporate lobbyist in Washington, and that William Small, who had been the executive vice president of *CBS News,* would replace Leonard as CBS Inc.'s lobbyist.

Both Leonard and Small have estimable records as broadcast news producers and executives, so this is not to raise a question about their characters and ethical standards. But is it healthy for an "independent" news organization to have its top executives as interchangeable parts in the corporate structure, and to foster a symbiotic relationship between news management and the management of the political world on whose forbearance the prosperity of the corporation depends? The answer is obvious and depressing and "that's the way it is."

The Crucial Legal Import of ERA

Monroe Freedman

Is the Equal Rights Amendment of any real importance? A common response is that ERA would provide an important symbolic and psychological boost to the women's movement.

Opponents respond that such a goal is scant justification for a 27th Amendment to the Constitution. Besides, the 14th Amendment already protects every "person" from invidious discrimination. Thus, they say, ERA is superfluous, and its supporters are merely trifling with the fundamental process of constitutional amendment.

In fact, however, adoption of the Equal Rights Amendment would have a substantial impact upon constitutional litigation and judicial decisions, because it would resolve one crucial constitutional issue. Indeed, three members of the Supreme Court—Chief Justice Burger, and Justices Powell and Blackmun—have explicitly deferred to the amendment process in rejecting constitutional attacks upon sex-based discrimination. Obviously, therefore, ERA is not merely a matter of symbols.

The basic issue of constitutional law is what test the courts should apply when legislation is challenged as discriminatory on grounds of sex. In general, the courts will defer to the legislature if a "rational basis" can be asserted to justify the legislation. As Justice Rehnquist has expressed it, in characteristically extreme terms, the courts cannot reject a statutory classification unless the legislative judgment has been "mindless and patently irrational." By such a standard, of course, few if any challenged statutes would be found unconstitutional.

The Supreme Court has recognized, however, that some classifications, such as race, are "inherently suspect." In such a case, the challenged statute is then subjected to "the most rigid scrutiny," and the burden is thrown upon the government to show a "pressing public necessity" for the difference in treatment. As a practical matter of constitutional litigation, of course, there is an enormous difference between a standard of minimal rationality and one of pressing public necessity.

Monroe Freedman is a member of the National Board of the American Civil Liberties Union. He teaches law at Hofstra University and is a former dean of its law school.

The Supreme Court has mentioned a number of criteria for determining whether a legislative classification is suspect and therefore subject to strict judicial scrutiny. Legislation is suspect if it is directed against "discrete and insular minorities," or against those who have experienced purposeful unequal treatment, or who have been subjected to unique disabilities on the basis of stereotyped characteristics that are not truly indicative of their abilities. The Court has also noted in some instances the high visibility of a particular minority group, the fact that a group is politically impotent or disadvantaged, or the fact that the group's characteristic (e.g., race) is unalterable.

All of those criteria need not be fulfilled in every case, however. National origin is a suspect classification, even though that status may not be highly visible and may not entail political impotence. Legislation that restricts the rights of aliens is also suspect and receives strict judicial scrutiny. Although they may be politically impotent, aliens may not be especially visible as such, and their status is not unalterable—that is, they can become naturalized citizens.

Women as a class have a demonstrable history of purposeful unequal treatment, and have been subjected to unique disabilities on the basis of stereotyped characteristics. In addition, secondary sexual physical characteristics are visible and unalterable. Nevertheless, the Supreme Court has failed to place gender-based discrimination in the suspect category.

Instead, gender (like illegitimacy) at times occupies an intermediate status, somewhere between the *strict scrutiny* and the *rational basis* standards. Under that intermediate standard, gender-based discrimination must bear a fair and substantial relationship to an important government objective. At other times, however, the Court has applied what might be called the *minimal scrutiny of the rational basis* test to sex discrimination. Thus, the Court upheld a California statute that excluded benefits for pregnancy and childbirth disabilities, while granting benefits for disabilities affecting males, such as prostatectomies and circumcision.

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Such a statute could not have survived the strict scrutiny which would be required by ERA. The success or failure of ERA, therefore, will have a determinative impact upon future decisions of the Supreme Court and, thereby, upon the future of equal rights for women in the United States. For those who believe in equal justice under law, adoption of the Equal Rights Amendment is essential. □

FIDDLING WITH THE LAW

MR. BELL AND INFORMERS

ADRIAN W. DeWIND & MORRIS B. ABRAM

Recent history has taught us to look skeptically upon claims of "privilege" asserted by government officials in order to keep their files closed to public scrutiny. We might expect by now to find nearly everyone watchful of executive officers asserting "security" or "confidentiality" as the excuse for denying access to documents or information. It is therefore dismaying to find that alert, sophisticated people can still be bamboozled by highly dubious claims of privilege on the part of government executives, as witness the measure of public support for the government's claim of "privilege" in the confrontation between the Federal District Court in New York and Atty. Gen. Griffin Bell over FBI documents the Attorney General wants to keep secret.

The case involves the Socialist Workers Party suit against the FBI, in which the Attorney General has asserted a privilege to keep FBI "informant" files closed despite a court order to produce them. In this suit, pending now for five years, the plaintiffs charge that their constitutional rights have been systematically violated by criminal conduct sponsored by the FBI. Indeed, it has become public knowledge through this case and Congressional inquiries that the FBI, using hired "informants," conducted a grotesquely abusive campaign for forty years without ever producing a shred of evidence of criminal activity by any of the investigated. Federal Judge Thomas Griesa has made the importance of the case plain, saying:

> . . . [T]he issues in this case are grave in the extreme, involving charges of abuse of political power of the most serious nature.
>
> Since the allegations relate to the highest levels of government, it is entirely appropriate for a court to enter an order against a cabinet officer, if necessary, for the production of the essential evidence, and to adjudge that cabinet officer in contempt if he refuses to obey the order.
>
> . . . [T]his Court concludes that the FBI informant files constitute a unique and essential body of evidence regarding the allegations of wrongdoing in this case.

Recently, Judge Griesa held Atty. Gen. Griffin Bell in contempt of court for refusing to comply with the court's order to produce a mere eighteen out of some 1,300 FBI informant files. As Judge Griesa said:

> Plaintiffs' request for eighteen informant files is unquestionably a good faith effort to arrive at a representative selection of the files. In view of the total number of such files in existence, it is a most modest request indeed.
>
> . . . [T]he questions about production of informant files in the present case cannot be resolved by looking solely at the interest in informant confidentiality, as the Government would have us do. There are countervailing considerations which deeply affect the public good. These considerations relate to the interest of the citizens of this country in being protected against the illegal and unconstitutional use of informants to interfere with the exercise of basic political rights and to invade the privacy of persons and organizations. One obvious way to protect against such abuses is to allow private plaintiffs fair opportunity to recover for such abuses to the extent legally allowed, with the attendant exposure of any misuse of Government power to public view. These considerations reinforce the conclusion that there is ample justification for the enforcement of an order against the Attorney General which is designed to provide essential evidence in this case to plaintiffs' attorneys.

The government has resisted producing any but the most cursory information about its informers' activities. Yet, having personally examined the files in question, Judge Griesa found that no major question in the case could be resolved without the plaintiffs' counsel having access to at least a representative cross section of the files.

The course chosen by Judge Griesa is a proper one. The position of the Attorney General and the government lawyers on the case is unfounded.

It is common enough for courts to hold offending parties in civil contempt without permitting any appeal whatsoever. This did not happen here. On the contrary, Judge Griesa ordered the FBI to produce the eighteen files more than a year ago, in May 1977, and the FBI immediately petitioned the Second Circuit Court of Appeals to review the judge's action. The Second Circuit refused and held that Judge Griesa's order lay within his lawful discretion. (Interestingly, among the three judges who upheld the order was William Webster, who has since been appointed FBI Director.) The government attorneys then petitioned the Second Circuit for a rehearing which the court denied. As a final effort, the government petitioned the Supreme Court to hear the appeal, and that Court also denied the government's petition.

The Attorney General's difficulty does not lie, as he asserts, in being refused appellate review. It lies in the

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Adrian DeWind is the immediate past president of the Association of the Bar of the City of New York. Morris Abram is an attorney and former U.S. Representative to the United Nations Commission on Human Rights.

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fact that the appellate courts have ruled against him and he will not accept that.

The Attorney General has received all the appellate review to which the law entitles him. Yet, even now, he is engaged in a *third* effort to have the Second Circuit Court review Judge Griesa's exercise of discretion. His action represents a continuing effort to dictate to the courts what the government shall and shall not produce. It ill becomes the Attorney General, as a party defendant, to seek to elevate himself above the law. It is equally objectionable for the Attorney General to use the resources of the government for endless delaying tactics over an issue in which he should recognize both the law and the public interest by voluntary compliance. His asserted notion that disclosure of information about these government-hired thugs will disrupt the proper administration of our justice system is mind-boggling.

What the Attorney General says he wants and has *not* received is appellate court review, not simply of whether Judge Griesa was acting within the limits of a trial judge's lawful discretion but also of whether the Judge's particular directive was the "right" one. The reason the Attorney General has not received such a review is because the law prohibits it. The law has prohibited such appeals prior to final judgment after trial ever since Congress passed the Federal Judiciary Act in 1789.

The rationale for this long-standing ban against what are known as "interlocutory appeals" is simple and compelling: without it the federal courts would be hopelessly clogged. Litigants (such as the government here) with sufficient power and resources could eternally delay cases simply by appealing the scores of determinations judges make prior to finally deciding a case. Among other things, this could assure that parties with limited resources would be driven out of court without justice simply for lack of funds.

For more than a century the Justice Department has consistently supported this federal rule. Attorneys General have invoked it countless times against *private* defendants who sought interlocutory appeals for reasons far more compelling than the government's in this case.

Now the shoe is on the other foot, and the Attorney General is saying, in essence, that the law which applies to others does not apply to the government. But it is a fundamental premise of our law that the government stands before the courts like any other party.

Quite rightly, the Attorney General has expressed concern with the "unseemly" situation which exists. But the only unseemly thing here is the Attorney General's posture which ignores a basic precept of law in order to shield FBI "informants" who were not, in fact, volunteer informants but government-hired *agents-provocateurs.* Documents made public in this case and through Congressional inquiries reveal a wearying catalogue of incidents of burglaries, blackmail, harassment and violent intimidation. The FBI has admitted committing more than ninety burglaries of the SWP's headquarters in New York City alone.

The entire affair resembles an upside-down world in which citizens peacefully exercising political rights were treated as criminals, while criminals were enlisted on the government rolls to perpetrate their crimes while cloaked with government sanction. Whatever his intentions, Attorney General Bell's assertion of "informer privilege" against the court's quite prudent order only serves to perpetuate this situation. To repeat, it defies imagination to believe that disclosing the contents of these eighteen files to the plaintiffs' attorneys would imperil any present or future legitimate law-enforcement activities of the FBI. If disclosure would discourage repetition of illegal activities under government sponsorship, then all of us will benefit.

Important and fragile principles are implicated in this unseemly fray—the independence of the judiciary and the rule of law as well as the right of citizens to meet and speak freely. We hope the Attorney General will reconsider his position and turn over the files. If he does not, we hope the Second Circuit will promptly reaffirm its earlier view and lift the stay against contempt proceedings. □

CONGRESS OVERLOOKS OVERSIGHT

MISSING INTELLIGENCE CHARTERS

GEORGE LARDNER Jr.

It has been more than two years since the Senate Select Committee on Intelligence, under the chairmanship of Frank Church (D., Idaho), concluded its unprecedented investigations of American spies and counterspies with a series of thick reports documenting a dreary pattern of illegality, waste and mismanagement in the name of national security. At that time, the CIA and the FBI seemed to have their backs to the wall, and deservedly so. The reports mentioned attempted murders of foreign leaders abroad and noted "unsavory and vicious tactics" at home —"including anonymous attempts to break up marriages, disrupt meetings, ostracize persons from their professions, and provoke target groups into rivalries that might result in their deaths." Nor was that all. The CIA and the FBI, the committee found, withheld important information from the Warren Commission when it was investigating the assassination of President Kennedy. (Other cover-ups are still coming to light.)

Incredibly, not one substantive reform has been enacted into law since those uncontested findings, and many more, were made. The permanent Select Committee on Intelli-

George Lardner Jr. is a reporter on the national staff of The Washington Post.

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gence—successor to the Church committee, some of whose members were carried over to the new body—has been marching steadily backward; revisionism has virtually captured the rhetoric of its hearings. The decades of plainly unlawful conduct so well demonstrated in 1975 and 1976 have been reduced to a "very few transgressions" inflated and distorted by opportunistic politicians and a sensation-seeking press. There is as much talk on Capitol Hill these days of giving the nation's intelligence community a stronger hand as there is of bringing it under control. Senator Church thinks it is already too late to hope for significant change.

Early this year the Select Committee introduced a so-called National Intelligence Reorganization and Reform Act (S.2525), popularly known as a "Charter" for the intelligence community. It is less rigorous in many respects than the dozens of recommendations formulated by the Church committee in April of 1976. Even so, it is too strict for the Carter administration, which has yet to offer any counterproposals. "Reforms have been delayed to death," Senator Church says unhappily. "This has been the defense mechanism of the [Central Intelligence] Agency and it could easily have been foreseen. . . . There is great wisdom in the old saying that 'the more things change, the more they stay the same.'"

One homely example lies in the complete secrecy with which intelligence agencies are still spending billions of dollars a year, unfettered by the explicit requirement of the Constitution that a "regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time." The Church committee once actually voted, 8 to 3, to make a modest gesture of compliance by publishing an aggregate figure. "It was so clear to our committee that there was no possible justification for refusing to disclose publicly what the Constitution requires—namely, the aggregate amounts spent for intelligence work," Church recalls now. And disclosure would no more compromise the national security than disclosure of the total Defense budget.

"Yet neither house has summoned enough resolution to change the old method of concealing and fabricating expenditures for intelligence. Isn't it ironic that today Members of Congress are still ignorant of what they are appropriating for intelligence? If we can't do that, what hope is there for the charters?"

The vacillation, it must be said, began with the Church committee itself. According to authoritative sources, the galleys of its final report on the nation's foreign intelligence activities on April 26, 1976, disclosed:

> [T]he direct cost of national intelligence spending is currently $4.7 billion and total intelligence spending is approximately twice that." [The nearly $10 billion total includes ancillary expenses such as those for training facilities, commissaries and supply bases.] Thus, the total U.S. intelligence budget is about 3 per cent of Federal spending, but is 8 per cent of *controllable* Federal spending. (Emphasis in original.)

The numbers were deleted from the Senate report before it was made public, the committee being content to say it had found fiscal controls by the White House Office of Management and Budget "weak and fragmented," and the spending on thousands of covert actions riddled with waste. This last-minute censorship was [illegible] Senate panel by President Ford and then-CIA [illegible] George Bush. The turnaround from the earlier 8-[illegible] vote to release an overall figure came in a 6-to-5 vote on a motion by Sen. Charles McC. Mathias (R., Md.) to buck the issue to the full Senate. Some committee members had changed their minds because they feared that unilateral disclosure by the interim Church committee could be used to block creation of a permanent oversight panel. The intelligence community, battered by disclosures, still had plenty of clout. As it turned out, the problem never even got to the full Senate. The permanent committee was created the next month and assigned, *inter alia*, to make "a study" of the budget disclosure issue. It "studied" for a full year. Finally, on May 25, 1977, the American public's new overseers of the intelligence community voted 9 to 8 to disclose "the aggregate amount appropriated for national foreign intelligence activities"—subject, of course, to approval on the Senate floor. That, like all other intelligence community reforms, is where the matter stands—in limbo, and a very dubious limbo at that. What Soviet President Leonid Brezhnev has described as "at least . . . a chilly war" is coming on fast. The Senate leadership has yet to call the issue up for a vote, apparently for fear that secrecy will prevail over the recommendations of its blue-ribbon investigators. Complying with the Constitution these days could be dangerous.

Whatever happens in the Senate, friends of the CIA can take solace from the House Intelligence Committee (successor to the interim Pike committee), which still insists that release of any budget information is "not justified in the immediate future." Thus, when the House voted out a $(deleted) authorization bill for the intelligence agencies this year it was in a state of almost complete ignorance. House members were permitted to inspect a so-called "Classified Annex" that was supposed to enlighten them on various details, but only eight bothered to visit the House committee's offices for a glance at the secret report. One of those who did, Rep. James P. Johnson (R., Colo.), denounced it as virtually useless, crammed with impenetrable acronyms that made it impossible to understand the proposed expenditures. A former member of the original Pike committee, Johnson warned on the House floor June 6 that Congress was fast "returning to the days when an elite few members exercised oversight over the intelligence community."

The pendulum had begun to swing that way even before the Church committee finished its work, but since then the pace has accelerated. The permanent Senate committee, headed first by Sen. Daniel K. Inouye (D., Hawaii) and now by Sen. Birch Bayh (D., Ind.), started to work on legislative reforms in June 1976, almost as though they were writing on a blank tablet, compelled to start from scratch. Public hearings became more infrequent; the Senators became ever more secretive, even to the point of protecting the intelligence agencies that they had so fleetingly exposed. In outward appearance at least, the Senate Select Committee has become more loyalist than the king. Years ago, the CIA put up road signs divulging its presence to motorists along old Chain

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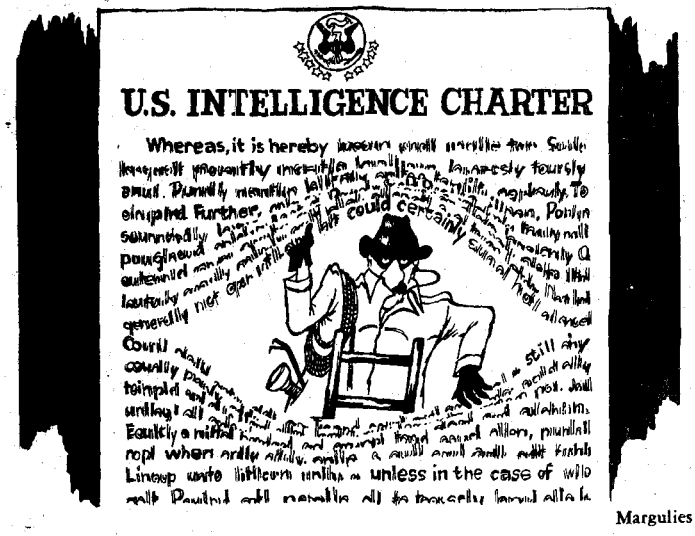
Va. Their overseers in the [illegible] side. A guard's desk outside the [illegible] windowless sanctum on the ground [illegible] Senate Office Building is the only [illegible] existence. There is no sign on the [illegible]ittee is not even listed on the hallway [illegible]forms tourists where all the other major [illegible] in the building can be found.

Despite such solitude, it took more than eighteen months, until February 9, 1978, to draft and introduce S.2525, the 263-page reform package that has come to be described as merely a talking paper, a starting point, a bill that no one seriously expects the committee, much less Congress, to approve in its present form. The Senate panel plans to spend the summer and fall dickering with the administration in backstage negotiations and to produce a rough consensus early next year.

Chairman Birch Bayh defends the measured approach. "I think the Church committee performed a worthwhile function," he says, "but you're never going to get a major reform of this magnitude unless you have the legislative and executive branches at least moving in the same direction. We sort of had to take it by stages. To ask the new membership of the committee to pick up reform without getting a chance to grind our own teeth on it is something that's never going to happen around here. . . . Plus we had a new President. He wasn't going to sign off on anything until he had a chance to find out what the facts are."

Several of the holdovers from the Church committee, such as Mathias and Walter D. Huddleston (D., Ky.), are also optimistic, predicting that a new legislative charter for the CIA and the rest of the intelligence community will be enacted next year. President Carter, they point out, is committed to a law to replace the old National Security Act of 1947 and, according to Huddleston who talked to Carter recently, "there doesn't seem to be any flagging on his part."

No doubt Carter is also still unflaggingly committed to tax reform. The content of the new legislation is what counts and on that there is increasing uncertainty. It is not at all clear what "reforms" the administration will support and it is not at all clear what Congress will adopt in the face of increasing tensions with the Soviet Union. Senator Church, for one, doubts that S.2525, which he would support, could survive the reaction on the Senate and House floors if it ever got that far. "I wouldn't try it now," he says. "I'm worried about getting SALT ratified."



Unlike the Ford administration, which wanted to handle the problem by White House decree, Carter is indeed wedded to "the principle" of charter legislation, thanks in large part to Vice President Mondale, who had been a ranking member of the Church committee. The intelligence agencies were far from keen about the idea, but the decision was made within the first few weeks of the new administration, before the CIA had even gotten a new director. "There was no one strong to speak against it, so there really wasn't a fight over it," says one knowledgeable administration official. But since at that point no omnibus bill was in the hopper and no House Intelligence Committee in existence, the White House decided to work first on an interim Executive Order. At the CIA, meanwhile, chaos erupted over Director Stansfield Turner's purge of the clandestine service. The turmoil has subsided somewhat by now. "Chaotic is no longer the right word for it, but in the leadership area, things are still bubbling," says one watchful lawmaker.

Issued in January, the Carter order sets the current rules for U.S. spy agencies, giving Turner added powers to prepare the intelligence community budget and imposing various restrictions on covert operations, including a ban on assassinations. It was written in close consultation with the Senate committee, but not with outside interests which immediately voiced chagrin at the loopholes.

For one, the Center for National Security Studies protested that the Executive Order baldly authorizes burglaries and other physical searches without a warrant, all directed against people in this country, whenever the national security is believed to be involved. Morton H. Halperin, the Center's director, warned:

> The order contains the most explicit and far-reaching claim of an inherent Presidential right to intrude without a warrant into areas protected by the Fourth Amendment ever stated publicly by an American President. . . .
>
> The injunction to use "the least intrusive means possible," hailed as a great reform, will be read by the intelligence agencies as authorizing whatever means, not otherwise prohibited, they deem necessary.

Of the Carter decree's overall theme, Halperin added: "It is a sad commentary that a Presidential directive instructing the intelligence agenies to respect the Constitution and to act in a lawful manner is hailed as reform. Given past conduct, enforcing the Constitution would indeed be a reform, but it is not a reform which takes one very far, since the meaning of these phrases is not spelled out and they mean far different things when put into practice."

Unfortunately, such modest protests have not had the audience they deserve. The intelligence community has been much more vociferous, especially since the introduction of S.2525. Slightly stronger than Carter's Executive Order and held together by a steady array of reporting-to-Congress requirements that are likely to be cut back

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sharply, the bill demands that any covert actions be preceded by a Presidential finding that they are "*essential* to the conduct of foreign policy or the national defense." It is a distinct improvement on present law, but like other more detailed restrictions, it is full of loopholes. Even so, insists one government official, it would "rule out a lot of things done today."

Such strict exegesis, one suspects, would not last for long. As one of the leading students of the CIA, Harry Howe Ransom, says in *The Intelligence Establishment*, "Probably no other organization of the federal government has taken such liberties in interpreting its legally assigned functions as has the CIA."

Take, for instance, the basic recommendation of the Katzenbach committee after the 1967 disclosures that the CIA had been covertly funding the National Student Association and other private organizations. The committee, appointed by President Johnson, declared that "It should be the policy of the United States Government that no federal agency shall provide any covert financial assistance or support, direct or indirect, to any of the nation's educational or private voluntary organizations."

Desmond Fitzgerald, the CIA's deputy director for plans at the time, told CIA outposts in a May 1976 circular what it all meant:

> a. Covert relations with commercial U.S. organizations are not, repeat, not barred.
>
> b. Covert funding overseas of foreign-based international organizations is permitted.

The Senate hearings on S.2525 spent unctuous weeks on other propositions: the abuses were past. The CIA had learned its lesson. They wouldn't dream of sinning again.

By the time the critics had their say, it was summer and most of the media had lost interest. What made headlines was the testimony of the first witnesses, led by that epitome of the Washington Establishment, Clark M. Clifford, a key draftsman of the 1947 National Security Act. He told the committee he thought it would be "demeaning" to the intelligence agencies to enact a law prohibiting them from assassinating people.

The questioning was far from critical, but that was no surprise in light of Huddleston's opening statement as chairman of the subcommittee that drew up S.2525: "I, for one, believe we have had enough of investigations and revelations," he declared. "The effect of certain of the revelations has, undoubtedly, been healthy. But the time has come to discontinue our self-flagellation."

The spooks have been growing more assertive ever since. The Association of Former Intelligence Officers even took umbrage at the use of the word "reform" in the title of the bill when, AFIO insisted, only a "very few transgressions" had come to light.

A former chief of the CIA's Department of Dirty Tricks, Thomas H. Karamessines, had the gall at another hearing to denounce the Church committee's investigations as an "inexcusable exercise in political sensationalism," as though the investigators should have been held to blame for the very real abuses they found. The CIA's capacity for self-deception is staggering. This is the same agency that in 1975 wanted the Church committee to "delete reference to the Bay of Pigs as a paramilitary operation . . . eliminate any reference to CIA activities in Laos . . . excise testimony given to the public before television cameras." This is the agency that likes to think it had cleaned up its own shop in 1973, long before the public became aware of its misdeeds. In fact, the CIA conducted only a hurried, cursory check of its skeletons, under the pressures of the Watergate scandal. It failed to tell the White House of its findings and it destroyed records of its illegal activities—"some of these surveillance things and stuff like that," as Director Colby once put it.

Other "stuff like that," such as the extent of CIA drug experimentations and the fresh (1974) vintage of FBI burglaries, it is now obvious, were also kept from the Church committee. No one seems upset. Indignation fades with the facts. All that seems left is the steady tattoo of suggestions that the scandals were somehow imagined. We wind up pinching ourselves. Was that really Richard Nixon we heard telling us all from Hyden, Ky. about the dangers of communism and calling for a stronger CIA in these parlous times?

The change in the public mood is palpable. Bayh agrees that a "backlash" is taking hold. And like administrations before it, Carter's seems concerned, first and foremost, about leaks.

"We're at a critical period right now," Bayh says. "There are significantly more questions being raised in the executive branch right now about the future of Congressional oversight than there have been in the past. . . . We're at a very delicate stage right now."

However, there is still the Congressional imperative, the institutional habit of committees, once created, to bear new laws. Bayh thinks Congress has until mid-1979 to get charter legislation enacted. But he also acknowledges that rising international tensions could produce a harder line from the White House. It is already evident that the administration wants to share its secrets with fewer Congressional committees, perhaps with just one. Obviously, the administration hopes to win more freedom for CIA covert actions than S.2525 would allow. And the intelligence community wants to make it a felony for an intelligence officer, past or present, to reveal a secret. As for White House National Security Adviser Brzezinski, he reportedly thinks Carter ought to have "deniability" for covert action.

The White House is keeping track of the legislation with the help of an interagency working group that has been reviewing the bill, line by line, for the National Security Council at periodic meetings in the Washington offices of the director of Central Intelligence. The administration, it is understood, has so many problems with the bill that its experts are planning to produce a "counterdraft" this fall. It is also looking to the House Intelligence Committee to take a more conservative line if the Senate insists on too much reform.

The chairman of the House Intelligence subcommittee on legislation, Rep. Morgan Murphy (D., Ill.), thinks a carefully drawn charter "with proper safeguards" can still be enacted but only if "people take a fair look at it," and if "there's no demagoguing."

That may be asking a bit much. □

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Blood Feuds Among the Palestinians

CHRISTOPHER HITCHENS

Over the past year somebody has been selectively killing those figures in Arab and Palestinian politics who favor an advanced dialogue with Israel and the Israeli Left. Just as this series of deaths began to form an identifiable pattern, in about mid-July, it was publicly drawn up into an indictment issued by the PLO. They accused an Iraqi-based faction of responsibility and complicity. This rhetorical opening shot soon turned into a real war, with Iraqi embassies and PLO offices trading vengeance in London, Paris, Beirut, Karachi and Islamabad (up to the time of writing).

Unsurprisingly, the latest feud has tangled historical roots. There is a choice of starting points, but the best one for purposes of explanation is the moment in November 1973 when the PLO and Al Fatah decided not to hold themselves totally apart from postwar peace talks involving negotiation with Israel.

At that point, a man named Sabri Khalil Banna broke with the Fatah leadership and set up his own command in Baghdad, where he had represented the group until then. His *nom de guerre*, Abu Nidal ("father of struggle"), was as theatrical as the death sentence he pronounced on Yassir Arafat (warmly and swiftly reciprocated). Since that time he has remained in Iraq and prepared for the day when the futility of compromise would become obvious. With the faltering of the Sadat initiative, he seems to have decided that the fateful hour has struck. At any rate, the dates and places and incidents fit surprisingly well.

As a man to meet and talk with, Abu Nidal strikes one as paranoid. He has a memorable face, thin and bony, with excellent cheekbones and vivid eyes. (For the record, the Israeli-supplied photograph of him, admittedly fuzzy, seems to me to be of the wrong man.) I kept an appointment with him in Baghdad in 1976, while the Lebanese War was at its height and the Iraqi-Syrian split was widening. He greeted me with a presumably sarcastic offer of guerrilla training in one of his camps, and went on to scorn the Arafat leadership as bourgeois and compromised. In a discussion which consisted mainly of his stereotyped rhetorical answers I can recall two moments which I noted down at the time.

The first was a mention of my friend Said Hammami, the eloquent and civilized representative of the PLO in London. Abu Nidal referred to him with contempt and menace—a chord also struck by one of his lieutenants who openly called Hammami a traitor and said that he should beware.

The second was a question put as I was leaving. Abu Nidal asked me if it was true that the British police now carried guns. I replied that, yes, more of them did these days as a result of the Irish troubles and the problems of diplomatic protection. He nodded. "You can tell them," he said, "that they will soon need rockets to defend themselves against our struggle."

I did not pass on the second warning, but I did convey the first one to Said Hammami who was slain in January of this year in his London office. This, the apparent inauguration of the anti-negotiation campaign sparked by Sadat's autumn "betrayal," was the first death to call down PLO condemnation of Nidal as the culprit. Hammami, while not known as particularly pro-Sadat, had gone even further than most PLO people in meeting and socializing with Israeli dissidents (many of whom, of course, were execrated for talking with him). He had also, in *The Times* of London, proposed his own version of "step by step" bargaining, and it was this, too, that had attracted the ire of the "rejectionists."

The "second shot" was fired in Cyprus. A conference of Third World leftists was meeting in Nicosia this February, hosted by the Socialist Party of Cyprus. Delegates came from as far away as Mozambique and Vietnam, and the PLO was well represented. The opening address was to have been given by Yusuf Al-Sebai, the editor of *Al Ahram* (Cairo's main daily paper) and a close friend of Sadat.

Sebai had his own reservations about the rapprochement with Begin, but he had made the journey to Jerusalem and this made him eligible for the death list. He was killed in the Nicosia Hilton by two men with Jordanian and Kuwaiti passports who claimed to be Palestinian, said that they regarded him as a traitor, and have not said a word since their arrest and conviction in Cyprus. The PLO, whose delegates were among the hostages after the shoot-out, is convinced that Abu Nidal was behind this attempt (successful) to polarize their relations with Sadat.

Sadat reacted angrily to the murder of his friend by sending troops in a hysterical and farcical attempt to invade Cyprus and capture the criminals. The failure angered him even more, and his first personal denunciation of Arafat followed the fiasco.

By this time attention was beginning to focus on Palestinian extremists. So in April it seemed less than mysterious that PLO and Fatah forces should round up, and in some cases shoot, members of the pro-Iraqi "Arab Liberation Front" in Lebanon. The ALF had decided on a confrontation policy with the forces of the U.N. in Lebanon. The kidnapping of forty U.N. soldiers was the last straw, and for first time there was real, direct blood between the ALF and the PLO. There still is.

In June, there was the drearily predictable response. Ali Nasser Yassin, the respected PLO chief in Kuwait

Christopher Hitchens is foreign editor of The New Statesman *in London.*

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(where Palestinians in the Arab world are probably at their most mature political level) was assassinated. This time the PLO blamed Iraq openly and demanded the extradition of Abu Nidal. There was an immediate refusal. Ali Nasser Yassin, too, was identified as having taken part in a dialogue between Palestinians and Israelis and as favoring a reformist political strategy for Palestinians in oligarchic countries like Kuwait.

July's events were more ambiguous, involving the murder of a former Iraqi Premier in London and the machine-gunning of the Iraqi Ambassador's car in Beirut. This may have had more to do with internecine rivalries among the Ba'athist leadership, and no clear trace of Abu Nidal or the PLO can be found in either case. But the clearest exchange took place in August, with reciprocal killings in Paris. Said Hammami's brother, among others, reportedly took part in an attack, possibly "free lance," on the Iraqi Embassy there.

Within twenty-four hours, Ezzedine Al Qalaq, PLO chief in the city, was shot dead, together with his senior aide. The pair had close contacts with the French Left and had won trust for their rational and open style. French police say that the killers have confessed to membership of Nidal's group. Since then, Lebanese refugee camps have been witness to ever heavier fighting between Al Fatah and the ALF, and Arab diplomats around the world have added extra guards to their top-heavy staffs.

This atavistic and bloody business, which is a serious threat to the chance of a democratic peace in the Middle East, is being fought out on three distinct but related levels. The first is the traditional contest between "hard" and "soft" lines in the Palestinian movement, easily followed by those who believe headlines about "moderates" and "extremists." Actually, the Palestine Liberation Front has resented the Iraqis ever since September 1970, when Iraqi forces in Jordan stood by passively during King Hussein's "Black September" massacre of Palestinians.

Rhetoric seldom matches commitment in the Middle East. But there is, even so, a real division between those Palestinian strategists who think any homeland is better than none and those who see the struggle as between "reactionary" and "steadfast" Arab regimes. (Almost every Arab government of any importance has, at different times, acted as patron to both of these factions.) For rank and file diaspora Palestinians, this awakens the dreadful memory of Arab disunity and cynicism in 1948, and the old slogan "all guns against the enemy" is really an incantation designed to dispel the specter of that time.

The second level on which the gunplay takes place involves the Soviet Union. Abu Nidal told me of his admiration for Peking in its nonrecognition of Israel and Resolution 242. His followers told me that he had been impressed by his visit to China. There is an incredibly complex dispute at present within the PLO and Fatah, with both "moderate" and "extremist" elements looking to Moscow for support either against Egypt or against ultra-leftism.

In Iraq, this conflict takes on an extra dimension. The ruling Ba'ath party has just hanged a couple of dozen Communists of the pro-Soviet party, and has declared its opposition to Russian policy in the Horn of Africa (especially as regards Eritrea). The Iraqi Communists, who remain formally in the government, told me that they agree with Resolution 242 and oppose Ba'ath strategy toward the Kurds. Out of this alphabet soup of contradictions emerges one question: to what extent is the Iraqi Government identified with the actions of its awkward guest Abu Nidal?

For the answer to that question, the scene must change to the third level of conflict—that between Iraq and Syria. This ancient hostility, which also involves immensely complicated questions of Moslem sectarian rivalry, is very important at the present time, and bears heavily on the Lebanese crisis as well.

Abu Nidal sometimes calls his organization "Black June" (originally enough—it springs from "Black September" when Hussein cracked down on the Palestinian extremists) to commemorate the June 1976 Syrian invasion of Lebanon. This fits nicely into Iraqi hatred of Syrian Ba'athism (a rival variant), a hatred which extends to everything from the contested waters of the Euphrates to the Sadat peace initiative. Iraq opposes Syrian designs in Lebanon, and has staged an in-absentia show trial of Sadat in Baghdad. Syria opposes Sadat's peace initiative but will not rule out a general negotiated settlement. Damascus, too, has its pet Palestinian faction in Al Saiqa (the thunderbolt). All other factions distrust it as a creature of President Assad.

This entire mosaic has to be borne in mind by the curious observer. Thus, the attack on the Semiramis Hotel in Damascus in September 1976, during which four Palestinian guerrillas were captured and promptly hanged in public, was a reflection both of Palestinian rage at Syria's conduct in Lebanon and of Iraqi-Syrian rivalry. Abu Nidal's cohorts were almost certainly those responsible—but who was using whom?

The three rivalries persist. Moderates and militants continue to fight it out (but for instance, Naif Hawatmeh's Communist "Democratic Front" will not join the rejectionists). The Soviet Union keeps trying to keep a presence in any possible outcome, and has not so far encouraged those who are trying to destabilize the Arafat leadership. And Damascus and Baghdad remain at daggers drawn.

In the course of this fratricide, many of the best elements in the politics of the Middle East have lost their lives. The dispute becomes more Balkanized every day. "Authoritative" commentators who have never before mentioned Abu Nidal in their "exhaustive" accounts differ over such trivia as whether he was born in Gaza or Jaffa (I candidly don't know which). The temptation is to blind readers with "front-line" copy. The only two certainties are that you keep at least three equations in parallel in any real consideration of the problem, and that it is unwise to take out any long-term insurance on a secular democrat in the Middle East. □

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COLD-WAR LEGACY

The Chaos of Immigration Policy

JOHN S. ROSENBERG

The notion that the security of the United States is gravely threatened by hordes of anarchists and advocates of "world communism" has for generations permeated our laws on admitting aliens to this country, to visit or to stay, and once more this ancient fantasy is obsessing the professional watchdogs in Congress. The result has been utter confusion on both Left and Right in that body as the new know-nothings attempt to sneak into law the old repressive and exclusionary provisions that have been diluted since the palmy days of the cold war.

"The guerrilla warfare of ideas is fought principally by infiltration into the body politic of those people whose political connections and dogmas conflict with those of this democracy," the commissioner of the Immigration and Naturalization Service (INS) wrote in the 1950 Annual Report of his agency. "The uniform of Communist ideology is not easy to identify—it may be a guise worn by citizen or alien. When worn by an alien or naturalized citizen, it becomes the proper function of this Service . . . to subvert these ideological warriors."

The procedures undertaken in this subverting process—in the name of what the historian David Brion Davis has more accurately called "counter-subversion"—were among the most notorious affronts to civil liberties during the domestic cold war, and many of them continue. During the height of the hysteria, from the late 1940s through the 1950s, several hundred immigrants—including some naturalized citizens who were first "denaturalized"—were deported as "subversives or anarchists," and a much larger number were denied entry into the United States. Many of those attempting to immigrate were turned back at our border without even a hearing when the Attorney General determined that "the exclusions were based on confidential information the disclosure of which would be prejudicial to the national interest."

Although the stated intent was always to exclude "totalitarians," in practice only suspected leftists were barred. When asked by a reporter in 1948 why Nazis were not also kept out, the head of the visa office in the State Department replied: "I don't think we have ever concluded that the Nazi party agreed it is for the overthrow of the government by force." In 1951 twelve Congressmen, including McCarran and Walter, informed the Attorney General that the term "totalitarian" as used in the Internal Security (McCarran) Act of 1950 was not meant to apply to former Nazis or Fascists.

During these years the INS was as busy at home as abroad. Beginning in 1948, Atty. Gen. Tom Clark declared with pride that the Investigative Section of INS "embarked on a program of investigating the various organizations to which [suspect aliens] belong." In the same year, Clark continued, the Justice Department "established a program of administrative proceedings against persons of subversive tendencies." Something of the scope of these activities is indicated by documents, recently released by INS on a Freedom of Information Act request, that reveal the agency completed 60,371 subversive investigations between 1953 and 1958.

It would be tempting to shrug off these transgressions as skeletons rattling around deep in our McCarthyite past, but unfortunately they are not all skeletons and they continue to occur. Deportation was used to silence dissent during the war in Vietnam ("Investigations were conducted to identify aliens involved in demonstrations protesting the national effort in Vietnam and aliens involved in student disorders," the commissioner of INS wrote in 1969), and large numbers of people are still excluded as politically unacceptable. In 1976, the last year for which figures are available, one person was deported as a "subversive or anarchist," and untold others were investigated.

If there is any doubt that the legacy of Truman and McCarthy lives on, one need only examine the Immigration and Nationality Act of 1952 (the McCarran-Walter Act), a product of cold-war frenzy that is still the basic charter of our immigration policies. (Liberals like to remember their opposition to this Act and Truman's unsuccessful veto; they often fail to remember that their substitute, offered by Senators Humphrey and Lehman, was little better. It, too, sought to raise legal barriers against "admission of subversive and undesirable aliens" and to facilitate "the deportation of those already in this country.") Section 212(a) of McCarran-Walter lists thirty-one categories of inadmissible aliens, of which the following excerpts are especially relevant:

> (*27*) Aliens who the consular officer or the Attorney General knows or has reason to believe seek to enter the United States solely, principally, or incidentally to engage in activities which would be prejudicial to the public interest, or endanger the welfare, safety, or security;
>
> (*28*) Aliens who are, or at any time have been, members of any of the following classes:
>
> (*A*) Aliens who are anarchists;
>
> (*D*) Aliens . . . who advocate the economic, international, and governmental doctrines of world communism . . . or who are members of or affiliated with any organization that [so] advocates;
>
> (*G*) Aliens who write or publish, or cause to be written or published, or who knowingly circulate, distribute, print, or display, or knowingly cause to be circulated, distributed, printed, or displayed, or who knowingly have in their possession for the purpose of circulation, publication, or display, any written or printed matter, advocating or teaching opposition to all organized government, or advocating or teaching

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. . . (v) the economic, international, and governmental doctrines of world communism;

(H) Aliens who are members of or affiliated with any organization [that does anything described in subparagraph (G)];

(29) Aliens with respect to whom the consular officer or the Attorney General knows or has reasonable grounds to believe probably would [engage in] sabotage, public disorder, or in any other activity subversive to the national security . . . or join, affiliate with, or participate in the activities of any organization which is registered or required to be registered under Section 786 of Title 50.

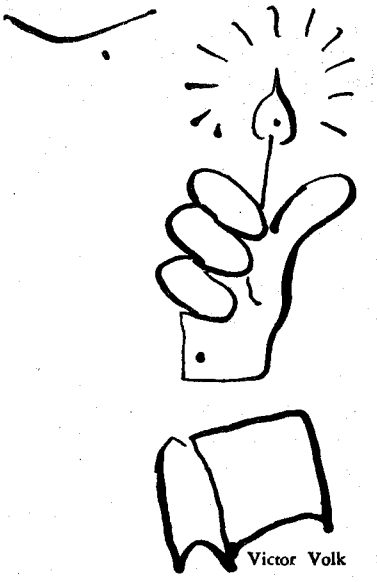
Section 212(d)(3) allows the Attorney General to waive inadmissibility under paragraph (28)—but not under (27) or (29)—and grant a temporary visa. No waivers are allowed for applications to become permanent residents.

From 1974 through 1976 (the last year for which State Department figures are available), 121 prospective immigrants or nonimmigrants (visitors) were excluded under paragraphs (27) and (29), and 2,239 were excluded under the all-encompassing paragraph (28). Of the latter, all but 304 were visitors, and here the total numbers are noteworthy: during these three years 52,774 prospective travelers to the United States were found to be excludable under paragraph (28), but 50,839 were ultimately admitted, usually through waivers granted under 212(d)(3). Needless to say, these figures do not reflect the numbers of people who did not even apply for visas because they object to these ideological tests. We have, it would appear, an iron curtain of our own, but ours works to keep people out.

This curtain was lifted a bit last year when Congress passed the McGovern Amendment to the State Department Authorization Act. It requires the Secretary of State to recommend a waiver in the case of any applicant for a temporary visa who is found excludable only under paragraph (28), or to report in writing to the Speaker of the House and the chairman of the Senate Foreign Relations Committee when and why he has not done so. (Interestingly, it does not instruct the Attorney General to accept these recommendations—that requirement would have had to go through Senator Eastland's Judiciary Committee.)

The results have not yet been published, but the amendment has had enough effect to upset the FBI and its friends in Congress. Alarmed by the number of aliens it regards as dangerous who are being allowed to visit the United States, the FBI has frequently tried to persuade the Secretary of State not to recommend waivers or, when that fails, the Attorney General not to grant them. These efforts have rarely been successful and are now almost futile. In 1976, even before the amendment, 87 percent of the FBI's recommendations were overruled; in 1977, 99 percent; and so far this year, under the amendment, 100 percent of the bureau's attempts to close the gate have failed.

These figures indicate that the FBI's difficulty is really more with the Democratic administration than with the McGovern Amendment. Rep. John Ashbrook (R., Ohio), one of the FBI's most outspoken supporters in Congress,



recently complained that the amendment "has opened the floodgates to Communists, terrorists, espionage agents, and other security problems," but at the same time he charged that it "simply made legal what the liberals in the State Department were doing. . . ." Although the exact number of aliens waived in over FBI objections is classified, a knowledgeable source estimates that it has been slightly more than 100 cases since passage of the McGovern Amendment. Because of all these suspected security threats, reports George Lardner Jr. in *The Washington Post,* the FBI has requested—but so far not received—125 additional counterintelligence personnel.

The foregoing brief review brings INS procedures up to the debate over the intelligence agencies authorization bill in the House of Representatives on June 6. The bill was the first fruit of the new Permanent Select Committee on Intelligence, created last year in the wake of the many revelations of intelligence abuses, and it is not heartening to those who had hoped for reform. After the leadership had congratulated itself for producing "a milestone . . . in the history of Congressional oversight of intelligence activities," it fell to a relative handful of critics to note that neither the amount nor the purpose of the authorization was included in the bill proper, but in a classified index most members had not seen. As Rep. Theodore Weiss (D., N.Y.) put it: "For the first time, the House is being asked to vote on a bill which we know nothing about. . . . We are being asked to authorize an unknown amount of money for unknown reasons to an intelligence program we know nothing about." Rep. John Seiberling (D., Ohio) concluded that "since the amount we are asked to authorize is a blank, I intend to vote 'blank' by simply voting 'present.' "

Even more disturbing was the debate over Title IV of the bill, a provision that not only raises new doubts about Congressional competence but also calls into question the widespread assumption that Watergate and its aftermath hammered the last nail into the coffin of "McCarthyism." Title IV provides that whenever the

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Attorney General "knows or has reason to believe" that an alien applying for admission to the United States is excludable "under the terms of section 212(a)(27), (28), or (29) of the Immigration and Nationality Act . . . and that alien is subsequently admitted," the Attorney General must notify the House and Senate intelligence committees.

Title IV is a truly remarkable provision; according to one official in the State Department, it is generally "nonsensical." First, the Attorney General has absolutely no authority to admit an alien who is found to be inadmissible under 212(a)(27) or (29), the provisions that cover suspected terrorists and espionage agents. Further, the Attorney General is enjoined by law to decide which classification applies and to exercise his discretion in waiving inadmissibility for temporary visas under 212(a)(28), which covers suspected advocacy of dangerous ideas. "Presumably," Rep. Elizabeth Holtzman (D., N.Y.) argued forcefully, "if the FBI finds the person falls within the category of Sections 27 and 29 and is unable to persuade the Attorney General of these facts, there is no case to make. . . . What this committee is suggesting to the House in this bill is that when the Attorney General does not accept the recommendations of the FBI . . . then somehow something is wrong in the process and the Congress should get involved."

Exactly. "In the event of such a dispute," explained Rep. Philip Crane (R., Ill.), "seriously undesirable aliens may be admitted to the country, contrary to the express recommendations of the Federal Bureau of Investigation and the Attorney General." (Like several of his conservative colleagues Crane, who thought the culprit was the State Department, was ignorant of the law; no one gets in over the objections of the Attorney General.)

Title IV, in short, is nothing less than an attempt to wrest control of this crucial aspect of immigration policy from the Secretary of State and the Attorney General and transfer it to the FBI, which would then in effect have final authority to determine who is politically pure enough to come among us. As Representative Weiss concluded, "not only is the committee being used by the FBI but probably the entire Congress is about to be used by the FBI." In less than a year the Intelligence Committee, created in response to public outrage over intelligence abuses, has become an ardent advocate of the agencies it was intended to oversee. No wonder the public esteems the Congress even less than it does the President.

In explaining the need for Title IV, Rep. Edward Boland (D., Mass.), chairman of the Intelligence Committee, stated that, "in consideration of the large numbers of excludable aliens who are now being admitted into this country over the objections of the intelligence community, [the committee] strongly believes that it is in our interest to be kept fully informed of such admissions." Rep. Bill Burlison (D., Mo.), another committee stalwart, voiced his concern that "the effect of the McGovern Amendment has been to tip the balance in favor of not implementing FBI requests for visa denials." In addition, he added, if the amendment is resulting in "the rubber-stamping of all visa requests in order to eliminate the need to report to Congress, then we must be made aware and take appropriate action. Title IV has been proposed in order to assure Congress is informed."

Apparently these gentlemen and the committee for which they spoke were unaware of section 212(d)(6) of the immigration law, which directs the Attorney General to "make a detailed report to Congress" every time he grants a visa to an excludable alien. These reports, complete with names, case numbers and brief case histories, are sent periodically to the House and Senate Judiciary Committees (which have jurisdiction over immigration), and presumably have been since the law was passed. A recent check with the staff of the Senate committee confirmed that it had received 10,927 such reports of waivers [some of which concerned criminal provisions as well as waivers under 212(a)(28)] during the first half of the 94th Congress alone. Thus, in addition to requiring the Attorney General to report to Congress when he does what he cannot do, Title IV would also require him to send information that he is already required by law to send.

As if this were not confusion enough, the House Judiciary Committee, which had not seen Title IV before it was debated on the floor, did not want to be left out of any matter concerning aliens. Therefore Rep. Hamilton Fish (R., N.Y.) introduced an amendment that would require the Attorney General to report waivers to the Judiciary Committees of both houses as well as to the intelligence committees—thus insuring that they would receive what they have already been receiving. (The Fish Amendment did accomplish one useful thing, however; it limited the new reporting requirement to the one-year life of the authorization bill itself.)

Unfortunately, the confusion was not limited to one side of the ideological aisle. Although Representatives Holtzman and Weiss recognized that names had long been reported to the Judiciary Committees, several members regarded the reporting provision as an attempt to revive HUAC. In fact, when introducing an amendment to strike Title IV altogether, Representative Weiss himself warned that, unless it were deleted, Congress would be "taking the first step backward toward the creation of a Committee on Internal Security." Referring to HUAC, Rep. Toby Moffett (D., Conn.) worried that "this is almost a reincarnation of that kind of approach," and Rep. Christopher Dodd (D., Conn.) objected to "the committee . . . collecting a bundle of names." These concerns are commendable, but they would be better directed to the long-standing practice of sending names to the two Judiciary Committees, whose staffs still harbor holdovers from the witch-hunting days of Eastland's Subcommittee on Internal Security and, on the House side, old associates of former HUAC Chairman Francis Walter (of McCarran-Walter fame).

For their part, supporters of the measure nervously disclaimed any interest in names. "There is no intention on the part of this committee to have any particular list of any people who are excludable or not excludable. . . . We do not want that kind of list," Chairman Boland insisted, leaving unclear exactly what he did want. Annette

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Incest

Although the victims reported that they felt helpless and powerless to resist their fathers, the incestuous relationship did give them some semblance of power within the family. Many of the daughters effectively replaced their mothers and became their fathers' surrogate wives. They were also deputy mothers to the younger children, and were generally given some authority over them. Many girls felt an enormous sense of responsibility for holding the family together. They also knew that, as keepers of the incest secret, they had an extraordinary power which could be used to destroy the family. Their sexual contact with their fathers conferred on them a sense of possessing a dangerous, secret power over the lives of others. Keeping up appearances became a necessary, expiating act, at the same time that it increased the daughters' sense of isolation and shame.

What is most striking to us about thi
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to do it.
frequent choice. The father
assume the wife's maternal role when she is incapacitated. He feels that his first right is to continue to receive the services which his wife formerly provided, sometimes including sexual services.

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Smiley of the committee staff claimed never to have heard any mention of names, although at another point in the debate Boland, "speaking for the point of view of the committee," said that "as soon as we look at the lists developed by the committee we will send them back to the Department of State or the Department of Justice from whence they came."

Surveying this chaos, one is forced to agree with a State Department official who observed that Congress is afflicted with "a large amount of security paranoia, coupled with an abysmal ignorance of the immigration law." In any event, the House defeated Representative Weiss's attempt to strike Title IV by a vote of 312 to 60; it accepted the Fish Amendment by agreement; and the entire intelligence authorization bill then passed 323 to 43, with five voting "present." It has now gone to the Senate, where it is being considered in closed meetings of the Intelligence Committee. It is scheduled for early consideration by the entire Senate, and it may be possible to undo some of the House's zealous gate guarding—and its enhancement of the powers of the FBI—before the bill becomes law.

More fundamentally, however, the time has clearly come for a complete re-examination of the nation's archaic and ideologically offensive immigration laws. Since the 1950s our relations with Socialist governments have undergone a considerable thaw, but our response to Socialist individuals who want to visit or especially to emigrate to this country remains frozen in outdated laws.

Congress itself may recognize that it is time for a change. The House Judiciary Committee has reported out a bill, H.R.12243, that would create a high-level commission (four members from each of the House and Senate Judiciary Committees, four members from the Cabinet, and four Presidential appointees) to study our immigration policies from top to bottom and recommend changes. If this measure passes and the commission thus formed takes its task seriously, it may finally be possible to remove the rigid ideological barriers that generations of cold warriors have erected around our borders. □

THE INFLATION GAME

JOHN L. HESS

In politics, inflation is a game where the liberals can't win and the conservatives can't lose.

The conservatives make their points coming and going.

Take Bill Simon. As a Wall Street banker, he made a pile floating tax-exempt bonds—especially those of the City of New York. Then just as *that* bubble was about to burst, duty called him to Washington. During his three years at the Treasury, the national debt rose by roughly one half. Something like $200 billion.

When the Democrats came in, Bill went back to Wall Street, hired a ghost and perpetrated a book. It's called *A Time for Truth*. It says inflation is the fault of deficit spending by liberal politicians.

Simon's most egregious example of bureaucratic largesse, as quoted with horror by the columnist William Buckley, is the New York subway worker who hauled down $212 a week merely for selling tokens underground.

Now among people like Archie Bunker—himself a transport worker—you'd think that Simple Simon would get the back of the hand. Instead, his preachments are going over big.

In California, a majority showed that it would follow any clown, and vote any proposition—13, the Big Casino or Catch-22—that promised to get this monkey off their back.

It's not, probably, that people actually trust Jarvis or Reagan or Simon. It's that they'd rather go with a hypocrite who says he'll fight inflation than with a liberal who only wrings his hands. And at the moment that seems to be the choice.

First, some definitions.

For our purposes here, a liberal—also known as a knee-jerk liberal—is someone who instinctively takes the side of the underdog.

A conservative—also knee-jerk—is someone who instinctively takes the side of the top dog.

There are other definitions, but those will do. You will, for example, generally find liberals *for* and conservatives *against* conservation, the abolition of slavery, the child labor amendment, pure food laws, factory safety inspections, civil rights, minimum wages and tax reform.

One more definition: inflation is exactly what the word says, a gassing up of the money supply. That's what the dictionary says, too, and it's the classic meaning. But most of the nonsense being uttered on the subject nowadays assumes a different definition: inflation is an increase in prices.

That is confusing the cause with its usual result. This can have grave consequences. During the first two decades after World War II, the United States was inflating like crazy, but prices here rose quite moderately. We were, in fact, exporting our inflation.

We papered the world with tens and then hundreds of billions of newly created dollars—nobody knows how many. We got foreign travel, raw materials, finished goods and capital investments all on IOUs. Since *somebody* had to pay for them, the receiving countries took our dollars and issued their own currencies in exchange, to meet local bills. By the same token, they inflated their own money, while we were getting their goods on the cuff.

This was such a sweet deal that at the end of 1972,

John Hess has been a foreign correspondent and investigative reporter for The New York Times. *His latest book, written with his wife,* The Taste of America, *is out in Penguin paperback.*

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when I interviewed four leading economic pundits for *The New York Times*, all of them, liberals and conservatives alike, said that inflation was a *European* problem, not ours. Alan Greenspan, the troglodyte, spoke pretty much for all of them in saying, "It's very rare that you could be as unqualifiedly bullish as you can now."

Within six weeks, a world monetary panic had forced the devaluation of the dollar. A few weeks later, foreign central banks stopped accepting dollars, and the effect of inflation—rising prices—started coming home. (A recession also set in. My pundits were batting zero.)

In the classic case, inflation was an adulteration of the coinage. The prince wanted some cash but did not care to trouble the commons to vote new taxes. So he doctored the silver with a bit of copper. Now it's done with paper currency and credit.

It's a tax, but it's concealed. It is a levy on cash savings, insurance policies, pension funds and salaries that cannot keep up with the rise in prices. Inflation is in fact a marvelous device—though it probably was not deliberately planned that way—to recover from the disadvantaged and from labor some of the gains they may win in the legislature or at the bargaining table.

On the surface, there is nothing there to attract a knee-jerk liberal. And yet . . .

The trouble is that the liberal mind set was hardened in the 1930s. The great theoretical debate then raged between the conservatives, led by Friedrich von Hayek, who argued that the government should do nothing but let the depression run its course, and the liberals, led by John Maynard Keynes, who argued that the government could and should adjust the level of business by expanding and contracting the money supply.

As it happened, the debate was pretty academic. The New Deal muddled along, and it was the war, not Keynes, that ended unemployment. But Keynes had captivated the economists, who loved the notion that they could now "fine tune" the economy. He also enchanted Wall Street, which took its house cut on the flood of new money. And our princes, of course, found it a lot easier to create than to balance budgets. Which is why Nixon said we were all Keynesians now.

The liberals were left with the depression memory that "sound money" was a conservative code phrase meaning "Let them starve." In the war and postwar booms, they found reason to believe that a little inflation was, after all, a good thing.

Academics, quitting the ivory tower for the halls of power, pullulated with schemes to justify the government's taking the easy way. The computer gave them a magic tool called econometrics.

A groovy device was the Phillips curve: for each notch that prices went up, unemployment would go down one notch. We were not *in*flating, perish and forbid, we were *re*flating. It was heavenly, until somebody noticed by the mid-1960s that we were *stag*flating. That is, prices were going up, and so was unemployment.

The Phillips curve vanished from the charts. But the economists never abandoned the notion that we had to choose between recession and an expanded money supply. When prices went up they blamed, not inflation, but unions, corporations, farmers, the war in Vietnam and, finally, the Arabs.

Actually, the oil producers got around to raising their prices only in 1973, more than a decade after the worldwide dollar crisis had become visible and months after the final collapse of the Bretton Woods system of monetary stabilization. They argue, with considerable justification, that they were only catching up. (Since then, as it happens, oil prices have fallen behind.)

Back to our definition: an increase in the price of oil is not inflation; an increase in paper money to pay for it *is* inflation. A country like West Germany, which pays for its oil with exports of goods, does not undergo inflation; a country like the United States that gets oil on credit does undergo inflation. To fudge that distinction is to assume that there is no alternative.

Commentators are forever confusing two distinct issues: the soundness of money and the distribution of wealth. When the steel trust raises prices, it is not causing inflation; it is merely trying to cut itself a bigger slice of the pie. Customers may switch to other materials, or do without; they may absorb the cost or pass it along with an added bite, according to their own clout.

The conservative Hayek and the Socialist Gunnar Myrdal observed long ago that prices historically did not move en masse: some things went up while others went down, and some moved faster than others. In a general inflation, when prices are boiling, there will be a general redistribution of wealth. And it is not the underdog who will benefit.

But Hayek and Myrdal are political economists. Our

We don't mince words.

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econometricians ignore classical economics. This leads them to such silliness as to call the present rise in Social Security taxes inflationary, because it increases the cost of living and of doing business.

It may be a stupid tax increase. It may be an unjust redistribution of wealth. But it is obviously *de*flationary, as any rise in federal tax revenues must be, since it tends to reduce the federal deficit and hence the money supply.

This is not to defend the S.S. tax increase but to pose the issue with some clarity. Be it noted that it was adopted by a Democratic Congress and a Democratic administration. It is another Democratic government, I believe, that holds the record for the transfer of the tax burden from the wealthy to the less wealthy. That was the Kennedy administration, which was elected on a promise of tax reform and instead gave us investment credits and fast depreciation.

Liberal politicians have a weakness for inflationary gimmicks because they look like something else. Take a measure newly enacted by New York State at the behest of Reform Democrats (the liberal faction). It provides that tenants may claim to have paid property taxes in their rents, and thus deduct these on their federal income tax returns. Just like property owners.

Fair? Look again. The bill passed because the landlords don't lose a penny; they don't report the tax portion of the rent as income, so in effect they are deducting it too. The bulk of New York tenants file the short form and the standard deduction, so the new break won't help them. The only benefit will go to the affluent tenants—and the bigger the income the greater the tax break. If the courts buy this one, the Treasury will be the loser, and indirectly, so will we all.

Liberal economists are forever coming up with schemes to give us inflation without tears. Arthur Okun, who, as Johnson's chief economic adviser, showed us how to finance the war in Vietnam with funny money, has now given birth to a beauty worthy of Walt Rostow. It's a schedule of tax bonuses to businesses that don't raise prices too much and to workers who don't raise their wages too much. This Rube Goldberg contraption has actually been received with open-mouthed admiration by liberals who should know better.

Even John Kenneth Galbraith has expressed an uneasy interest in it. Now Galbraith is a true political economist with an original and skeptical mind. Observing that the public services are starved in our affluent society, he once suggested that they be financed by sales taxes. He was assuming, of course, that social justice in the distribution of the tax burden was impracticable. That he is now proposing price and wage controls accompanied by easy money—inflation without tears—suggests that he has no hope for any more fundamental reform.

(It is fairly amusing, though, to hear Herb Stein calling for a march on Washington to protest even voluntary price controls. As Nixon's economic adviser, Stein defended *compulsory* controls in 1972.)

Prisoners of their recent past, obsessed with the idea that more money means more growth and more jobs, the liberals meet the present monetary crisis with babble. *The New York Times* (whose editorial columns tend to reflect the views of the liberal economic establishment) declared last December 13 that the collapse of the dollar "has been a blessing, not a curse."

It explained that our exports would rise and our imports fall (which didn't happen, materially), and suggested that we pressure West Germany and Japan to inflate (which we did). It also suggested that we increase tax credits for investment and reduce corporate and personal income taxes—as a further cure for the decline in the value of the dollar!

As noted, the conservatives have fared better by denouncing inflation even while promoting it. (Which is what led Hayek to write "Why I Am Not a Conservative.") Given the confusion of the liberals, it is easy for their foes to do both.

The Republicans have mounted a campaign to cut the capital gains tax and other burdens on the well-to-do. As justification, they present the new econometric fad called the Laffer curve. A joker from the same deck as the Phillips curve, it asserts that a point cut from the tax on business will increase business activity by two points. This will bring more revenue to the government. In the end.

This is better than perpetual motion.

Liberals are handicapped in rebutting this argument because they used it themselves during the Kennedy administration. Depending on how you juggle the figures, it either worked or did not work, and we lived happily ever after.

The end result of this liberal-conservative "debate" is foreshadowed by Proposition 13. Wage earners and the middle class correctly perceive their well-being as threatened by inflation. Given no other choice, they will take it out on public services, especially welfare.

If they are to cope with this threat, liberals must firmly decide that inflation—even a little bit of inflation—is not a cure for anything.

They must propose what the conservatives preach but never practice: a balanced budget and a prudently limited supply of credit.

Hayek to the contrary notwithstanding, sound money would not assure full employment or a fair distribution of wealth. It would however free liberals to seek liberal solutions—for example, a national health service to provide care at reasonable cost.

Certainly a liberal attack on inflation would zing the most bloated target in sight, the military budget. It would assail with zest the hypocrisy and the cockeyed complexity of the tax code. It would challenge the wisdom of a Federal Reserve System run by certifiedly conservative bankers who conjure billions out of thin air.

I don't know what answers we will find, if we start looking for answers, but the search could be fun. I would love to hear a liberal economist tell an inflationary capitalist, "There ain't no free lunch."

It would be amusing indeed, if liberals were to run the flag of sound money up the pole, to see how many conservatives would salute it. My bet is that the threat would drive them right up the wall. □

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BOOKS & THE ARTS

A Symposium Review: Thoughts on a Meditation

SANFORD LEVINSON

Sanford Levinson and Fred Powledge (page 182) discuss:

LYING: Moral Choice in Public and Private Life. *By Sissela Bok. Pantheon Books. 315 pp. $10.95.*

The thirteenth chime of a clock, Mark Twain once remarked, destroys our belief in the reliability of the previous twelve, rather than leaving us simply with the impression that the correct time is noon or midnight. The clock has "lied" to us, and now cannot be trusted at all. Of course, the clock cannot "lie" in the sense of engaging in a deliberately misleading act—that is the prerogative of human beings.

Prof. Sissela Bok, who teaches medical ethics at the Harvard Medical School, has written a powerful philosophical meditation on the morality of lying. It is "only" a meditation since, as Alasdair MacIntyre pointed out in an ill-tempered and unfair review which appeared in *The New Republic*, she does not seek to establish by rigorous philosophical argument the underlying foundations of an entire system of ethics. Yet philosophical foundations are hard to come by these days, and we should be grateful to Professor Bok for presenting the first systematic analysis in many decades of the moral dilemmas presented by the decision to lie.

Her book is an example of what might be termed the "new casuistry," in which moral philosophers examine specific cases, almost like lawyers (but with more sensitivity), against the claims of a set of moral arguments. The most distinguished example of this "new casuistry" is Michael Walzer's *Just and Unjust Wars*, and it is a high compliment indeed to say that Bok's study merits this comparison. They are worth comparing in another way as well, for one of Bok's central arguments is that "deceit and violence . . . are the two forms of deliberate assault on human beings." The psychic violence engendered by the discovery that one has been lied to undermines relationships based on trust, friendship and love—the sine qua non of decent life—quite as much as does the knowledge that there are those who seek one's destruction. (Even if one would prefer to be the actual victim of a lie rather than of a bullet, this must be recognized as a demonic set of alternatives.) Walzer searches for rules to limit the horrors of organized violence; Bok is engaged in a similar search for guidelines to minimize the horrors of deception. The fact that some of their arguments will not convince all readers (see Richard Falk's review of Walzer in *The Nation*, March 25) should not detract from the ability of both authors to convey the high moral stakes involved in their respective struggles.

Sanford Levinson, a lawyer, teaches in the Politics Department at Princeton University.

The implication of the lie is that no one ultimately can be trusted, that the lover to whom one tells intimate secrets may not be as he appears—may in fact be an informer, ready to betray whenever convenient. Seduction may be as evil as rape. At least the latter leaves physical evidence of the violation; seduction, on the other hand, makes physical data irrelevant. The seducer behaves "exactly like" a genuine lover, and the discovery of one's having been deceived, as with the clock, may well put *all* previous relationships into question. (Again, I do not need to deny that one might "prefer" seduction to rape; I simply want to indicate that as affronts to human dignity both are moral evils. The reason rape and not seduction is criminally punishable has more to do with the limited faith in our power to get firm evidence of the latter than with a defensible judgment that the former is strikingly more evil.)

Bok begins by reviewing the classical moral positions on the propriety of lying. Although resolutely opposed to lying, she recognizes the arguments against a Kantian-absolutist injunction against all falsehood. There is something obviously objectionable about a requirement that one tell the truth even under conditions that assure evil consequences, such as the betrayal of a morally blameless individual to bandits or agents of an unjust state (by, e.g., answering truthfully the question, "Where is X hiding?"). Lying should be kept to a minimum, though; at the very least, one who consciously lies should always be forced to defend the propriety of the act, a demand for justification not usually made of truth tellers. She goes on to consider a variety of circumstances in which serious people assert the legitimacy of deception.

Bok skillfully considers examples ranging from so-called "white lies" to unmarked police cars to the massive kind of political deception practiced by the Johnson administration in the 1964 election. Almost all readers will find some of their own behavior called into question, whether by her reflections on the duty of parents to speak truthfully to their children or her criticism of journalists who masquerade as "civilians" in order to engage in investigative reporting. (The *Chicago Sun-Times*, for example, recently won praise by its exposure of official corruption in Chicago. In order to get its story, the paper set up its own bar, staffed by disguised reporters. Bok would not, I think, commend such techniques, however valuable the result of the endeavor in uncovering corruption.)

Most readers will agree with Bok on one or another of her arguments, but few will be able to accept complacently all of them, for she demonstrates that serious acceptance of the anti-lying principle would require significant revision of widespread practices. She puts her professional expertise in medical ethics to especially good use in her arguments against the common practice of using placebos as a form of treatment or deceiving the seriously ill about their condition. It is easy enough for me to accept her view about the necessity to put doctors under greater ethical restraint, but perhaps it is more appropriate to focus on one of her other examples, the use of deceptive experiments by social scientists, for that strikes much closer to where I live.

The most famous such experiment is surely the Milgram "shock experiment" initially conducted at Yale. The subjects had been told that the experiment dealt with the influence of negative sanctions (the electrical shocks) on learning; the experiment, of course, was actually concerned with the subjects' willingness to be torturers. Most of the subjects proved willing to inflict what they believed was considerable pain so long as the "necessity" to shock victims was "justified" by science.

Although the Milgram experiments have been subjected to methodological criticism, the major controversy has al-

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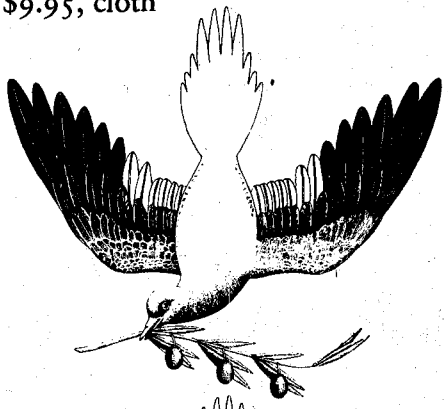

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ways involved the ethics of the experiment itself and the deception practiced against the subjects. (They were informed of the true nature of the experiment afterward, including the fact that they had not "really" shocked the victim.) The subjects were lied to, and that indeed counts against the legitimacy of the experiment, as Bok argues. The primary argument supporting Milgram is based upon the social utility of discovering that people—even Americans (for Milgram initially thought he would *contrast* the presumed unwillingness of Americans to torture with the more obedient behavior of other national groups) —are more willing to be cruel than had first been supposed.

If social utility were the only defense offered, I would be inclined to agree with Bok that the justification for the experiment should be rejected. The most damaging critique of utilitarianism has always been that philosophy's alleged willingness to allow the sacrifice of individuals in order to benefit society at large. If one does recognize the analogy between lying and violence, then one can no more easily defend socially useful lying than, for example, military retaliation against innocents as a method of deterring future enemy activity. People have a general (though not absolute) right not to be lied to, even if society benefits from their own deception.

But there is a second defense of the Milgram experiments in addition to that of social utility: that the experiments in fact worked toward the development of the subjects' own self-knowledge and moral autonomy that ought to be the aim of liberal education. Bok's own commitment to telling people the truth comes precisely from her respect for their autonomy; even the white lie treats others as objects for manipulation rather than moral beings capable of knowing the truth. Perhaps Milgram's manipulation of his subjects is outweighed by the fact that they in fact learned deep, albeit unsettling, truths about their own capacity for evil.

It is far more dangerous to believe Presidential cant (from a man who promised, no less, never to lie to us) about the goodness of the people than to recognize the truth about the ability of even "decent" people to engage in evil. And it may also be that no other technique (such as reading literature about the Holocaust) would have brought home the point so well as participating in Milgram's experiments.

All teaching, to some extent, involves deception. We do not disclose in advance the profoundly troubling implications of *King Lear*, the philosophy of Hume, or the psychology of Freud. We overlook the moral problems of assigning Nietzsche or Dostoevsky, perhaps rationalizing along the lines of Dorothy Parker's observation that no woman was ever seduced by a book. Milgram cannot escape so easily; he does seduce his subjects. He has, as a result, been subjected to widespread discussion and (often) censure. It is not clear, though, that the difference in pedagogical techniques should generate such different evaluations.

All this may prove is that each person will try to squirm out of Bok's reach in his or her bailiwick. I might point out, though, that I gladly join Bok in her opposition to most deceptive experiments insofar as they do not seriously involve what might be termed the moral education of the subjects. □

And the Beat Goes On

FRED POWLEDGE

Sissela Bok's book is clearly a valuable one in a number of ways, not the least being that she has taken a very thorough look at something that saturates our lives but that hardly anyone else has thought to examine. The very choice of the title, *Lying*, must have hordes of social scientists kicking themselves for not having thought it up first.

Fred Powledge is a free-lance writer with books on race relations, urban problems, circus life and backpacking cookery. He has completed a book on the modern South, which Vanguard Press will publish in December.

The publication of *Lying* comes at a time when American society needs more than ever to understand dishonesty. We speak a lot these days of a "new Watergate morality," and from that some of us jump to the erroneous conclusion that the *unveiling* of all that immorality in high places somehow equaled the *eradication* of it. That did not happen, as each day's news reveals.

What *has* happened, I think, is that Watergate and all the associated little watergates have been shown to be quite commonplace. What was there in great abundance in American society all along —lying, cheating, stealing—was merely brought out into the open. The things

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people used to *say*, in the privacy of their own breakfast tables ("I bet that bastard's a thief and I'm sorry I voted for him"), now appear on the front pages of their newspapers, documented as raw fact.

Richard Nixon, of course, is the chief ingredient in all this. The man probably did little more actual evil than most of his predecessors and some of his followers (at least he didn't say with a straight face that he'd never lie to us). His real crime, or at least the one that caused his early retirement, was his style: he had the look and mannerisms of a crook. While we have tolerated many a crook in the White House, we couldn't handle one with the *mentality* and *carriage* of a crook. So we hounded him from office, declared the birth of a new morality and went back to living our normal lives. Much as I enjoyed Nixon's departure, I submit that it isn't as easy as all that.

I do not think we are necessarily more dishonest now than before (and here, unlike Bok, I'm using "dishonest" to cover a great swath of lies, thefts, and associated corruptions), but I do believe that our dishonesty has become more apparent. And furthermore, as it has become more apparent we have become less inclined to punish many of those who are caught at it—either by being outraged at them or by sending them to prison. Consider:

¶We have begun to tolerate, to adopt a business-as-usual attitude toward, the sort of corporate cheating and lying that a decade ago would have seriously threatened the corporations' ability to continue dealing with the public. Gulf Oil, American Airlines, and J.P. Stevens are only three of hundreds of huge, "respectable" outfits that recently have been caught on the far side of the law. General Motors sold 128,000 people Buicks, Oldsmobiles and Pontiacs without telling them they were buying mostly Chevrolets.

¶When the corporation is a monopoly, as more and more of them seem to be these days, opportunities for abuse increase geometrically. New York Telephone consistently hid its lowest service rates from prospective customers, even those who specifically asked for them.

¶The known incidents of dishonesty increase as you move closer to government and quasi-government and into areas where people and institutions do business with the government. The "authorities" and other regulatory agencies, which have all the powers of government with none of the responsibilities, get away with a lot. So do many in what we once called the healing professions, and the situation is likely to get worse as more and more of our personal health bills are paid by third-party sources. HEW recently estimated that at least $4.5 *billion* had been lost in one fiscal year, 1977, on Medicare and Medicaid through excessive hospital costs, fraud and abuse, and allied idiocy.

¶Inside government, of course, we are perceiving dishonesty as never before. In New York City, where I live, there are newspaper stories almost daily about some crookedness in the Police Department, or in the courts, or in the municipal bureaucracy or the school system. Sometimes the dishonesty is blended with stupidity, but often it is evil of a downright filthy nature (like cops selling heroin) that formerly would have precipitated a public crisis. Now a policeman caught in some crime involving moral turpitude is likely to get, at worst, a suspension from the force, or possibly an early retirement.

Corporations that are discovered buying Presidential candidates and bribing foreign governments don't lose their licenses. They sign friendly little consent orders in which they simultaneously deny it ever happened and promise never to do it again. Maybe they pay a fine, which they pass along to their customers or figure in as overhead in their next big government contract. Their executives hardly ever go to jail. (Occasionally, in very nasty cases involving a lot of publicity, a junior-grade fall guy will be chosen, as in the case of military atrocities.) When "justice" *is* dispensed, it is usually pathetic. A former Gulf Oil vice president who was caught buying vacations for the Internal Revenue Service official who oversaw Gulf's tax audits was caught, found guilty, and sentenced—to six months in prison. The IRS official also got six months. The Gulf executive's lawyer, who is appealing the verdict, argued that such practices were commonplace in corporate America.

Physicians who steal from Medicaid don't go to jail, nor do lawyers who embezzle from the estates of widows and orphans, or cops who murder. Jail, now more than ever, remains a place for the poor, and black, the stupid; the ones who stick up a small liquor store instead of an entire nation. Ask Spiro Agnew. Ask John Mitchell, who received from a compassionate fellow Attorney General five consecutive furloughs to ease the discomfort of his brief stay at an executive-level federal prison.

It may just be that all this recognition of all this dishonesty—indeed, this near-total immersion in it—is actually a good thing. If it's true, as I suspect, that it is our discovery of dishonesty that has increased, rather than the gross weight of the dishonesty itself, then that's a positive sign. It may mean that we've taken a big step toward eradicating some of our hypocrisy. After all, as one New York Port Authority official said when asked by New York reporters to comment on an indictment charging him with expense-account padding (including, it is alleged, reimbursements for taking New York reporters to fictitious lunches): "Let him who is without sin," etc.

What bothers me about all this, though, is the possibility that in the process of being so truthful about our dishonesty, we will lose our ability to feel properly guilty about lying, cheating, and stealing. Some of us are mis-

FLAME, SPEECH
(Translated from the
Spanish of Octavio Paz)

I read in a poem:
to speak is divine.
But the gods don't speak:
they make and break worlds
while men do the talking.
They play frightening games
without words.

The spirit descends,
loosening tongues,
but doesn't speak words:
it speaks fire.
Lit by a god,
language becomes
a prophecy
of flames and a tower
of smoke and collapse
of syllables burned:
ash without meaning.

The word of man
is the daughter of death.
We speak because we are mortal:
words are years, not signs.
They say the names we intend
but they also say time,
which is to say us,
for we are time's names.

The dead are mute
but they also say
what the living say.
Language is the house
of all, hanging over
the edge of the abyss.
To speak is human.

Mark Strand

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fits. For reasons that are probably best left to shrinks and behavior mod experts, we have a hard time about being dishonest because, in most cases, we feel inordinately bad about it afterward. It *hurts*. And it hurts, too, to know that there are so many others around us who are *not* bothered by it at all. There's the suspicion that you're dumb if you don't get in on some of the action, if only in the spirit of self-defense. If T. Dick Nixon doesn't pay all his taxes and gets away with it, then you're a chump if you pay yours, because if you pay yours you're paying the taxes T. Dick Nixon didn't pay. It's almost like not having seen *Close Encounters* or even *Jaws*; you know you're not really missing a hell of a lot, but you don't want to be left out.

I remember what a television repairman said to me a couple of years ago when I went to reclaim the ratty old Zenith after its fifteenth transfusion. He quoted two prices: one if I paid in cash; the other, a higher one, if I wrote a check. I kidded him about being a lawbreaker (he had always dealt honestly with me, and I knew I could joke with him about such things), and he shrugged and smiled and said, "Why not? The President did it."

I paid in cash, and I understood and sympathized with the repairman's motive. Also I saved a couple of dollars. But I also knew vaguely then what Sissela Bok says very clearly and neatly in the conclusion of her book on lying: "Trust and integrity are precious resources, easily squandered, hard to regain." And I mourn a little when I think of that, because I am losing hope that it will ever again be considered good to be honest. We have lost most of our innocences in the past few years, and I hate to see this one go. □

Interesting Times

THE EXECUTION OF MAYOR YIN And Other Stories from the Great Proletarian Cultural Revolution. *By Chen Jo-hsi. Indiana University Press. 220 pp. $8.95.*

THE COLDEST WINTER IN PEKING. *By Hsia Chi-yen. Doubleday & Co. 386 pp. $10.*

THE DEATH OF WOMAN WANG. *By Jonathan D. Spence. The Viking Press. 166 pp. $9.95.*

JOHN TAYLOR

As an exercise in statecraft, the late Chairman's Great Proletarian Cultural Revolution ranks among the more bizarre experiments on record. When, in the history of the scrutable West, has a head of state mobilized the discontented young for the express purpose of mounting an assault on the established government? Our President may grumble aloud about the self-serving federal bureaucracy, but it is understood that Presidential Populism is merely the secular expression of a born-again Baptist faith. And given that religion is thought to be a private matter, except when parading it offers hope of winning votes, Populist sentiment and public policy remain chastely disengaged. Consequent inaction leads to disappointment and thus to the occasional strike or demonstration. But it occurs to no one to suggest that what we really need is a horde of Red Guard revolutionaries to overturn the existing order—on instructions from the White House.

The Chinese do things differently, as Marco Polo tried to explain, and sometimes the results they achieve are interesting. Which is to say that 900 million Chinese, once properly aroused, know how to make a fuss. They take their time about it, too. The GPCR rumbled on for eleven years, and living through it must have been an ordeal if the society that Chen Jo-hsi describes resembles the reality most Chinese had to face.

Though spectacular outbreaks of civil disorder made the GPCR front-page news around the world, visible turmoil is almost entirely absent from Miss Chen's account of everyday life among ordinary, none too revolutionary people. Her characters are a varied lot—collective farmhands, teachers, factory workers, intellectuals undergoing reform through manual labor—who rub along in a society that appears to be (except in the title story) on the verge of normality. With enough to eat, regular jobs to keep them busy, and no reason among the circumspect to fear summary arrest or imprisonment, their lives would seem to be at least tolerable.

But Miss Chen makes the point by implication that for the masses, that is, for the hundreds of millions excluded from the realm of privilege reserved to party and government officials, "revolution" is a hoax, a needless demonstration of *plus ça change*. For no matter what line the party adopts, the masses must conform—not so much to an intelligible political faith that they could conceivably embrace, as to the whims of an overbearing, self-interested bureaucracy, which time and again proves itself unworthy of the obedience it demands.

The lives Miss Chen describes are outwardly tranquil, but the strain of putting up with the authorities fills her characters with a bitterness they dare not reveal. And it's not just faultfinding intellectuals who suffer. In one of her best stories the author tells of an elderly factory worker, K'uai Shih-fu, who wants to give his ailing wife a special treat. He goes to market, and there in a gastronomical trance of expectation buys a beautiful fish, some ginger, and a few bamboo shoots—the makings of a memorable soup. But just as he mounts his bicycle for the ride home he finds himself ordered by a cadreman to return the fish and collect a refund. It turns out that the fish are not for sale, but form a display calculated to impress some foreign visitors who were expected that afternoon. K'uai's disappointment scarcely amounts to tragedy. One fish soup more or less in the course of a long life makes little difference, especially when there is other food to buy. Yet it is petty vexations of this sort, endlessly repeated, that in the author's view make daily life in China a cheerless grind. For K'uai Shih-fu the ichthyophile, no protest is possible, or even thinkable—beyond scorning his refund.

Whereas Miss Chen might be termed a miniaturist, exclusively concerned with the emotional cost of day-to-day survival, Mr. Hsia is a muralist who attempts the big picture: politics high and low, plots, counterplots, Soviet spies, Chinese traitors, mass uprisings, incipient civil war, border incidents, the works. His novel is set in the mid-'70s by which time the prime movers behind the GPCR (the Gang of Four) had provoked more resistance among moderates than they could handle. Ultimately they lost, but not without subjecting the country to a few tense moments which Mr. Hsia tries to capture. For the most part he succeeds, and he is particularly effective in suggesting how rumor and confusion can unhinge a vast, customarily passive population. The author's

John Taylor is a free-lance writer who lives and works in New York.

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seemingly interminable panoramic narrative is an episodic blend of fact and fiction in the traditional manner of the Chinese classics. Though Western readers may at first grow impatient with anything quite so exotic, they are nevertheless likely to soldier on. For reading *The Coldest Winter in Peking* is not unlike eating a Chinese meal: just when you think you've read one episode too many, you begin to get curious again.

Translated fiction defies appraisal, not always because of what's proverbially lost but as much because of the tone that may have been introduced by a translator of untutored ear. These stories are told in a dialect that will make even the most reverent reader smile. Here are some typical passages from Miss Chen: " 'This must be the work of Liu Shao-chi's running dogs,' Hsiao Wu said as he ground his teeth." Later in the same story: " 'Greatly chastened by my harsh criticism of the Red Guard,' he explained defensively, 'We do have our faults . . .' " Mr. Hsia's dialogue is no less improbable: " 'What you say is a vicious calumny to our great Party and to our proletarian system,' Ta-yung growled. 'It is reactionary poison.' " My favorite turn of phrase: " 'What happened to the ten or more female intellectuals he violated?' Chia pressed." What indeed? The lay reader—not to mention the female intellectual lay—is left wondering whether this is the way the Chinese actually think and speak, or whether the translators have yet to learn English.

Owing to the oddity of the language, most readers will probably discount these stories as earnest contributions to literature and view them instead as political documents. Incontestably, both books are invested with a certain authority. Miss Chen was born and brought up on Taiwan. While studying in the United States she was seduced from afar by the apparent idealism of the GPCR and went to China to "serve the people." Seven years later she and her family were allowed to leave, having meanwhile become completely disenchanted. They now live in Canada. Mr. Hsia was once a member of the Chinese Communist Party and a government official of middling rank. He left China in the mid-'70s, a year or two after Miss Chen. Both authors write from hard-earned, firsthand experience, and if their descriptions of life in China are true, then their voluntary exile confirms the wisdom of the venerable Chinese adage: of all the thirty-six alternatives, running away is best.

What about the good old days? Was it ever any better way back when? Not for "the poor and forgotten" in the unlucky county of T'an-ch'eng in Shantung Province. Like Miss Chen and Mr. Hsia, Professor Spence mingles fact with fiction (he quotes at length from the 17th-century short-story writer, P'u Sung-ling) to illuminate the grim reality of peasant life 300 years ago in one of China's least favored regions. The soil in T'an-ch'eng county was poor enough to guarantee misery to the farmers and villagers; earthquakes, famines, epidemics, locusts, bandits and riotous soldiers compounded their desperation. Though the local magistrate, Huang Liu-hung, was conscientious, he had nothing like the resources necessary to bring the peasants under his jurisdiction substantial relief.

In view of the subject matter, one might expect *The Death of Woman Wang* to be a dismal tale of woe, only of interest to morbid specialists. But it isn't, partly because of the author's skill in lacing the historical record with observations borrowed from P'u Sung-ling, and also because of the irrepressible vitality of the peasants he describes. Perhaps those who have the grit to survive the disasters that regularly befell T'an-ch'eng merit something better than a Great Proletarian Cultural Revolution—but Professor Spence's peasants would probably take flight in disbelief if they ever got anything they deserved. □

A Dillar, A Dollar

THE REVISIONISTS REVISED: A Critique of the Radical Attack on the Schools. *By Diane Ravitch. Basic Books. 194 pp. $8.95.*

BENITA EISLER

In the dull gray 1950s, when some of us acquired our definitions, historians didn't come in colors. A monochromatic lot, they practiced their craft, so we were led to believe, far from the din of clashing ideologies, pouring through archives, drinking deep from primary sources—all in a dispassionate search for facts which, one piled one upon another, became Truth. By the early 1960s, miles of typewriter ribbon had been expended to shatter the "myth of objectivity." No one, save perhaps a Stone Age tribesman, could believe any longer that history, biography or social science was "value free." The more any scholar—past or present—appeared to suffer from the delusion that he was a mere seeker after buried truths—the more his *Weltanschauung* was showing. By the mid-1960s, agendas, like everything else, came out of the closet with a vengeance. The "committed" scholars of the New Left bore their chosen affiliation proudly—Socialist, Marxist, Anarchist or Maoist; "others" were lumped together as Liberal leftovers, Conservatives—neo or unprefixed—when not described much less politely.

With the possible exception of the historiography of slavery, no area of inquiry into our past has generated more radical rewriting than the history of the American public school. Although, as Richard Hofstadter had observed, the history of educational commentary in America is "a literature of acid criticism and bitter complaint," the black picture that emerged from the recent revisionists' collective view rendered all previous interpretation benevolent by comparison.

In her magisterial study, *The Great School Wars,* Diane Ravitch meticulously documented the forces of religion, politics, ethnicity and power that shaped New York City's public school system. In this new collection of essays, her awesome analytic skills are deployed in examination of ten influential works of the late 1960s and early 1970s which together formulated a radical revisionist taxonomy of American public school history. Their authors, all scholars on the Left, diverge from one another in disciplinary approach and degree of political orientation: Marxist economists Bowles and Gintis (*Schooling in Capitalist America*) have ideological differences with anarchist Joel Spring (*Education and the Rise of the Corporate State*); while both economists and philosopher Walter Feinberg (*Work, Technology and Education*) take issue with the historical approach represented most persuasively by Michael B. Katz (*The Irony of Early School Reform* and the same author's *Class, Bureaucracy and the Schools: The Illusion of Educational Change in America*). But these writers share fundamental themes—and equally import-

Benita Eisler is the editor of The Lowell Offering: Writings by New England Mill Women 1840-45, *and is now at work on a book about self-education in America,* Bettering Ourselves.

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ant—common enemies. Enemies first.

The radical revisionists attacked two flanks of the liberal democratic tradition. In one camp were ranked early school reformers, Horace Mann and the Massachusetts School Committee, along with their heirs of the Progressive Era, John Dewey and Jane Addams, whose meliorist faith created that spirit of reform which assumed "that education could be consciously arranged to make American society more open, more just, more democratic." The other enemies list consisted of liberal revisionists of the early 1960s, notably Lawrence Cremin and Bernard Bailyn. Both these historians had pried the definition of education from its earlier rigid institutional bias—the self-regarding hagiographical tradition of schoolmen like Cubberley—demonstrating that the influence of family, church, work place and voluntary associations was at least as significant as that of the school. In a curious reversal, as Ravitch notes, the radical revisionists returned to an exclusive preoccupation with institutional history. Placing the school within a radical perspective of American history perceived as "a straight line . . . unremittingly racist, bureaucratic, exclusive and undemocratic," they found, unsurprisingly, the schools established by this society to have been and to continue to be "rigid, regressive institutions whose real purpose was to preserve the social order by inculcating passivity and conformity." The unqualified indictment of the schools was not, however, the most noteworthy contribution of this group of critics; unique to their bleak view was a shared belief in disaster by design, the sense, as Ravitch interprets it, that "American schools have been an *intentional*, *purposeful* failure (author's emphasis) and "those responsible for this arrangement were not conservatives but liberals, progressives and reformers." (In fact, distortions of motivation and result were hardly peculiar to the historiography of education: the 1960s were dominated by a conspiracy view of every social problem. Remember what you were if you weren't part of the solution?)

Among the themes common to these works, which Ravitch analyzes closely against the evidence advanced by their authors, are the theses that the school was (and is) an instrument of coercion, used by the rich and middle class to manipulate and control the poor, and its correlate; that public schools were imposed upon an unwilling community by middle-class reformers; that they "forced" assimilation and Americanization on immigrant groups; that social mobility was a myth and that schooling, in any case, played no role in what little took place.

Bowles and Gintis shift the grounds of this last argument. Their classic Marxist critique posits the school as a sorting mechanism whose function is to reproduce the unequal social relations essential to a capitalist economy. By extension, a primary role of the school becomes that of "hiding or justifying the exploitive nature of the U.S. economy," preparing youth for the "undemocratic and class-based character of economic life in the United States."

Marxist analysis should probably be considered generically, as a work of art (Kabuki theatre is the form that comes to mind). Is it good or bad of its kind? Challenging the premises, as Ravitch does, is less valuable. On its own terms, *Schooling in Capitalist America* is arguably more convincing, sophisticated and well-executed than Ravitch would allow. A quarrel with the stylized scenario of Marxism, however, is one thing; to infer from this, as one recent critic has, that Ravitch offers a "defense of the reigning style of corporate capitalism" is quite another. This misreading, moreover, has unmistakable personal—and sexist—overtones. In the absence of textual evidence of such a defense, the only possible evidence becomes circumstantial: an implicit assumption that the author shares and is engaged in defending the putative views and interests of her corporate capitalist spouse.

These dense and closely reasoned essays are most exhilarating when the author engages an adversary she respects. Michael Katz, in his most influential work, found the "irony" of 19th-century school reform to consist in the fact that it was not the result of working-class demands but "the attempt of a coalition of the social leaders, status-anxious parents and status-hungry educators to impose educational innovation, each for their own reasons, upon a reluctant community." In support of this argument, Katz, using voter lists and tax rolls, examines a vote cast in Beverley, Mass. in 1860, in which the townspeople abolished their two-year-old high school. Giving as proof of his thesis, "reform by imposition," Katz interprets the vote to show that the wealthy and middle class supported the high school, while the working class voted against it. Using the same data, Ravitch finds that a clear majority of businessmen, in fact, voted against the school and, as Katz himself notes, 56 percent of the negative vote represented

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citizens with no school-age children—a very different determinant than that of class interest.

Bureaucracy, as several of these writers claim, was the instrument of conscious choice to institutionalize racism and social class bias in the public schools, where, as Katz contends, "the relationships between bureaucracy, class bias and racism are fixed." Except, as Ravitch notes, for the inconvenient evidence that both the Catholic school system and Katz's favored alternative to bureaucratic structure, the "paternalistic voluntarism" of the early New York Public School Society moved rapidly to bureaucratic models; nor does his definition of bureaucracy as "a crystallization of bourgeois values" explain its prevalence in socialist societies.

The radical critique, with its horror of the "impositions" of reformers and intervention by the state has curiously passive, even reactionary implications. This view of change, coming slowly, through "community action" offers no support, Ravitch concludes, "to those who 'imposed' reform on rigidly segregated southern communities, nor to any other effort to change popular, but unjust practices."

It is just such dilemmas which the author finds scanted by the ideological filter of "committed" scholarship. The history of black education in America, as she points out, is largely that of schooling denied, not imposed. And other ethnic groups, far from being a monolithic, oppressed mass, mindlessly submitting to Americanization and "homogeneity," behaved in very different ways, according to the community and setting; some established their own schools, or combined public education with "cultural maintenance" programs within or without the public school. Jewish immigrant parents came close to rioting at the turn of the century when they found that schools were closed to their children once the registers—in the practice of the day—were filled. The object of such proprietary anger and aspiration were those same schools that contemporary reformers found physically and pedagogically inadequate.

The author makes quick work of the loopier fringes of radical writing. A "reinterpretation" of John Dewey as an anti-Polish Nativist (itself a Polish joke of sorts) provides the occasion for a real demolition derby. But there is nothing mean-spirited or slighting in Ravitch's assessment of the significant issues raised and contributions made by the more serious scholars discussed here. Indeed, she is prompt to commend the revisionists for raising previously neglected questions of class, institutional bias toward minorities and for championing the perspective of the poor.

The problems arise when fact, logic and advocacy become confused. An ideological grid placed over the contradictory motives, unintended consequences and unpredictable short circuits of history and politics means that certain questions can never be asked because the answers have been decided in advance.

The cumulative evidence of the past five years, moreover, confirms Ravitch's eloquent and well-documented case for the continued value and rewards of schooling in America—*especially* in terms of increased minority educational achievement as related to economic progress. In contrast, the radical analysis has aged badly. Indeed, the scorched earth implications of the revisionist attack on the schools take on new irony as the "middle-class revolt"—whether in the form of property taxes and school budgets voted down, or in the overwhelming support for tuition tax credits—threatens to "de-school" America more effectively than the radicals' most apocalyptic fantasies.

The hard economic realities of the present, along with renewed professional and citizen concern with nuts and bolts issues like testing, minimum competency and diploma requirements, as well as intensified debate over the methods and extent of integration of schools and affirmative action in higher education all suggest that few but the frivolous or flaky seriously question the urgency of providing schools where young people can become literate—and employable—adults. The question which cast a romantic haze over much of the radical critique is: who is now willing to pay for public schooling? "Reform by imposition" could start looking good.

"Historians, above all," writes Ravitch "should have a decent respect for the tentativeness of the truth and the unreliability of absolutists." Diane Ravitch has demonstrated a more than decent respect for the elusive shifts of history; indeed, her persistent interrogation of past and present—with no questions out of order and no evidence inadmissible—is held highly indecent in some quarters, liberal as well as radical. For such indecency—and worse sins: intellectual rigor, implacable logic and common sense—one can only be grateful. □

What's Good for General Motors

POLITICS AND MARKETS: The World's Political-Economic Systems. *By Charles E. Lindblom. Basic Books. 356 pp. $15.*

DAVID M. TRUBEK

Charles Lindblom has written a major book on the political economy of Western capitalism, *Politics and Markets.* Lindblom is a liberal democrat of the old school who really believes in economic equality and popular control of government. He shows us how to see politics and markets as interlocking rather than independent systems and uses this structure to describe how Western and Communist systems work. He also evaluates political-economic systems to see how they score on economic efficiency, popular control of government, equality.

When Lindblom looks at his own system, he concludes that it doesn't do too well on equality or popular control. This is the source of "Lindblom's paradox." He asks whether it is really possible to have private enterprise and popular control of government. Perhaps to the amazement of those who do not expect such thoughts from a distinguished Yale professor, his answer is a tentative no. The book ends almost sadly with this statement:

> The large private corporation fits oddly into democratic theory. Indeed, it does not fit.

The paradox of private enterprise and popular government emerges from a question Lindblom asks in the course of his comparative inquiry. Why is it that the kind of open, competitive political systems he calls polyarchies are only found in countries with private enterprise economies? The conventional answer is that both these systems emerge from a belief in liberty, individual freedom, and decentralized decision making, so they are mutually reinforcing. But Lindblom doesn't accept this rather shopworn cold-war notion. He is troubled by

David Trubek is professor of law at the University of Wisconsin School of Law, and also research director of the Center for Public Representation, a public interest law firm.

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something that comes from his comparative research. He knows that the private enterprise system is associated with tremendous disparities in income. And it leads to economic behavior which harms many. Why don't the governments in Western societies play a more significant role than they do in the economy? No Western government really plans economic activity, and none has significantly altered the distribution of income. How can this be reconciled with popular control of government? The answer is: it can't. And thus he raises the paradox: perhaps, he wonders, "Polyarchy is tied to the market not because it is democratic but because it is not."

A good deal of the book is devoted to exploring this possibility. And the answer is relatively clear: polyarchal political systems fail to achieve popular control of economic decisions because business plays a disproportionate role in politics. Thus the message of *Politics and Markets* is that we can't trust government to cure the ills of a private enterprise economy.

The book is really a critique of American capitalism. Lindblom is in the tradition of dissenting economists such as John R. Commons, Thorstein Veblen and John Kenneth Galbraith who chipped away at the "conventional wisdom" which celebrated economic orthodoxy. These men showed that markets were rarely competitive, and that incomes were established through bargaining processes which were influenced by arbitrary assignments of property rights. They showed that business does exercise power, and that equalization of income may strengthen rather than impede capitalism. As a result, there arose a theory which envisioned substantial state intervention in the economy.

Where markets "fail," government will intervene. If markets create economic power, popular governments will curb it. If markets lead to, or reinforce, unjust distribution of income, popular government will correct the distortions. By introducing government as regulator and distributor, the equilibrium of the classical model is restored, and the troubling questions of power and justice resolved. If markets are inefficient or distribution unfair, we know the state will intervene. There are no big issues left: everything turns on technical questions. There is no ideological debate: Republicans can "nationalize" passenger railroads while Democrats deregulate airlines.

This new brand of thought replaces older myths about our system. But is it not itself mythic? Lindblom admits that if governments were truly responsive to popular demands, and had the authority to control business decisions, government could correct abuses of corporate power. But, he believes, this cannot happen because government and popular demand are not independent of business. Business has been given a privileged place in the political system, and functions more like a partner than like a subordinate. Businessmen have special rights to be consulted, and can exercise de facto vetos over many government decisions. Not only can business veto policies formulated by government: it also exercises disproportionate power in the formulation of these policies. Business has superior resources to use in any open political competition over government policy. It controls more funds, organizations, and information than do other groups.

The power of business extends beyond the realm of open political debate and competition. Business influences what is to be discussed, and keeps many issues off the public agenda. Business influence helps define people's sense of what is possible and desirable: thus many demands for popular control simply are never formulated.

What solutions does Lindblom give? Here the book becomes much less clear. Lindblom clearly believes that Western political-economic systems have failed in important ways. He is troubled about the future, about growing alienation and excessive individualism as well as about business control of politics. But he has no pat solution.

One suspects he would like to save the market from the private enterprise system. At one point he suggests that we need a new type of control system which would combine market control over what to produce with popular control of how to produce it. But he recognizes that market power will undermine popular control. Indeed, as an example of such a system he mentions zoning laws, thus illustrating his point implicitly. Zoning lets the market determine if housing is to be built, but imposes "popular" control over where and how. But is there any system in American politics where market forces, including plain corruption, have had more of an influence on what the "public" wants?

Lindblom is very attracted to the Yugoslav model of worker-managed, market socialism. He doesn't offer it as a model for the West but he devotes a whole chapter to it. Perhaps he sees this as a way to save both the market and polyarchy from private enterprise.

These are only hints and suggestions, never followed up. But should we ask this of Lindblom? He has given us a great deal. He has cut through myths and helped us see where we are. He has reminded us that we have yet to realize the promise of American democracy. He has dealt with complexity and mendacity in a remarkably simple, honest fashion. For this, we are in his debt. □

State Time Is Hard Time

A PRISON AND A PRISONER. *By Susan Sheehan. Houghton Mifflin Co. 275 pp. $10.95.*

JAMES LIEBER

Draft-aged and waivering on the war, I chanced upon Susan Sheehan's *Ten Vietnamese*. In 1967, the book seemed utterly fair and unemotional, qualities which then I thought identical. Though I didn't know why, it momentarily confirmed my schoolboy sense that the United States should stay and fight. Recently in conjunction with this review, I reread *Ten Vietnamese*. There one finds that the downtrodden among the pseudonymous portraits (a refugee, an orphan, and a peasant) have all been pushed around quite a lot more by the Vietcong than by Saigon or the Americans. The North Vietnamese soldier is a killer; the South Vietnamese is not. The landlord is benign; he exploits only G.I.s. The figure who comes off best, the only one in control of his life and not a bit pathetic, is a doctor-politician who hopes for continued U. S. presence, democracy and the bombing of the North. Ms. Sheehan never registers a direct opinion. Her choices however do.

A Prison and a Prisoner marks the culmination of a decade of magazine writing during which the author's style has ripened from flat reportage to spare elegance. She speaks her subjects' languages now, picks up their rhythms, and locates the gemlike detail. But as in the Vietnam pieces and her widely noticed

James Lieber is a writer and assistant public defender in Bucks County, Pennsylvania. He last reported for The Nation *on the retrial of Hurricane Carter.*

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A Welfare Mother (1975), she manages without opining to make a point that is arguably reactionary, possibly dangerous.

Like the welfare study, *A Prison and a Prisoner* grew out of an extended profile in *The New Yorker*. Again Sheehan chronicles a single life, masking only the name, and uses the social problem as a backdrop. Mrs. Santana, the obese, unreflective and childishly profligate welfare recipient, was something of a caricature. But George Malinow, 57, a payroll-robbing recidivist from Brooklyn, is a complex figure and living repository of New York correctional history. Incarcerated all but three years since 1938, he participated in the state's early reform experiments at Walkill, hardened during big-house years at Sing Sing, and survived Attica by nesting on a roof (though afterward he told the parole board that he and other "old-timers" had protected guards from "black militants"). At this writing, he's in Green Haven, the maximum security facility that since the regionalization of the system primarily serves New York City. These institutions and others such as Clinton ("The American Siberia") have distinct, often bizarre rules and flavors that Sheehan understands. The prisons come to seem like strange city-states within a not always harmonious league.

No longer a tough guy, Malinow holds a leisurely job in the tailor shop, "swags" provisions at a profit, satisfies a taste for bootleg brew, dabbles in painting, writes 40 pages at a clip to a teen-ager in the Philippines he plans to marry citing Justice Douglas as an example, spots technicalities in his cases, and pores over HUD regulations in order to cook up a semi-legal real estate racket for the next time he hits the streets. Sheehan pieces together his repeated failures on parole. The message is clear that he does best when given maximal structure, when put in a box. Because she has chosen Malinow as opposed to equally valid counterimages available (rebellious, retarded, junkie, nonwhite, etc.), she's able to slip into easy generalizations about a population of 1,800.

> With a few exceptions, the men at Green Haven seem able to do the time, and there are hardly any men with furrowed brows, bent heads or plaintive eyes to be seen here. Most of the men look healthy and in reasonably good spirits. A great many retain a sense of humor.

Something doesn't fit. In my job we try to keep defendants out of state pens even when the alternative is the county jail. The reason is that state time is hard time, and for reasons that range from noise to separation, those who draw it hit bottom and grow old before their years. Taking her cue from the administration, Sheehan regards the regular suicide attempts as ploys to get attention, drugs and transfers rather than as reflections of despair.

As for the institution, Green Haven's history is divided into two periods—Before Attica (hard-line), and After Attica (guilt-spawned, reformist, relaxed). After Attica, according to Sheehan, doesn't work. She reports that interest in expensive, technical training and machinery is low, which doesn't square with my own observations or with the long waiting lists of supposed incorrigibles trying to get into the job corps. But in Sheehan's book school generally goes unattended. The only inmate she cites for receiving a college degree is Kitty Genovese's killer, a low blow.

Though the author never flatly states a thesis, the blurb on the flap indicates that hers is an "important book" because it "makes clear that our so-called correctional system fails (at great expense) to correct and that rehabilitation is an attractive idea that has never worked." The truth is that rehabilitation here has never received more than glancing efforts, a tragedy because it is a difficult problem which seems amenable only to full-scale national attention.

In 1934, the Swedes enacted the Schlyter Plan, a national directive now largely accomplished, to depopulate the prisons of all but violent actors. The Dutch, current world leaders in the field, reached the same conclusion after their middle class swallowed more than a taste of confinement under the Germans during World War II. Dutch prisoners are offered real jobs in a socialized sector at civilian pay scales. Among larger nations, the French eventually made up their minds to clean up the planet's worst penal system, and English courts sensibly offer convicted nonfelons a number of hours of community service at, say, a hospital in lieu of the slam. Society actually gets repaid. The percentage rate of European populations behind bars runs to about a twentieth of the American figure. Because confinement inevitably breeds some later criminal behavior, this is one reason that those societies are relatively less violent than ours.

We, however, seem bent on filling the prisons as never before. This has something to do with a continued and scandalous propensity to lock up misdemeanants and even summary offenders who can't pay fines. It also arises from the politically expedient toughening of judicial and prosecutorial attitudes. *Corrections Magazine* recently reported that prison populations have been climbing sharply since 1973, the year that marked the end of the so-called "decade of leniency," during which the number imprisoned declined for a time, dipping below 200,000. Today the figure is rocketing past 300,000 Most people, I'm afraid, will read the latest of Susan Sheehan's seemingly neutral works on smacked lives and give the trend their quiet approval. □

TELEVISION

GERALD WEALES

There is a grass-roots swell of protest against sex on television, or so I have been told by too many recent articles in newspapers and magazines. Shows like *Three's Company* and *The Love Boat* are usually cited as examples of video prurience (witlessness would be more exact), but since both programs stand high in the ratings, I simply assumed that the protest consisted of a march across the living room to turn the shows on. Marilyn Beck has taught me how wrong I was.

I usually glance at Beck's column in search of innocuous Hollywood information, but I was startled the other night by her report on Donald Wildmon, the crusading clergyman from Tupelo, Miss. His National Federation for Decency claims credit for the Sears, Roebuck decision to pull its advertising from *Three's Company* and *Charlie's Angels*. The federation's next target is Ford, which it will picket unless the auto company allows Wildmon to pass on the moral fitness of the programs on which Ford advertises. The news unnerves me, but it is Sears, not Wildmon, that really worries me.

I see no reason why Wildmon and his cohorts should not attack television programming of which they disapprove, and economic pressure has always been a legitimate weapon of protest. I use it myself. There was a Sears advertising insert in the newspaper on the night I read Beck on Wildmon and, although there was a bargain or two that tempted me, I cannot bring myself to go into Sears now. I might seem to be condoning an action that I find reprehensible.

If Beck's report and Wildmon's claims are correct, the federation, which boasts 10,000 members, was able to pressure

Gerald Weales reviews plays for Commonweal *and teaches drama at the University of Pennsylvania.*

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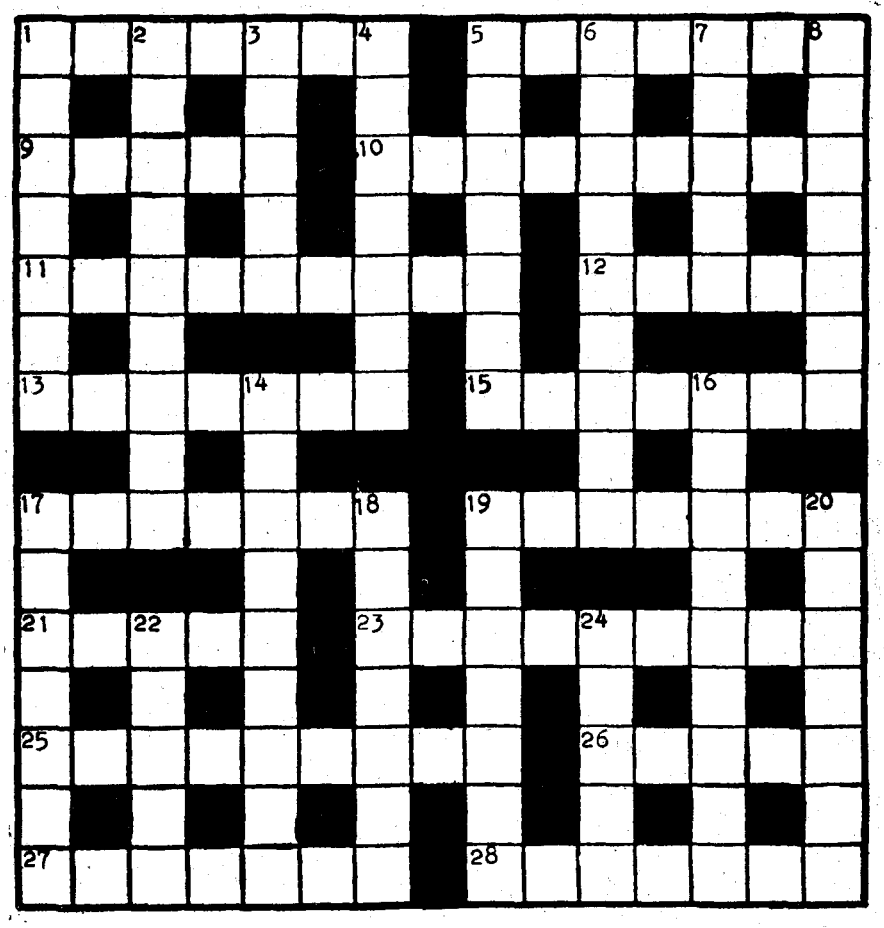
a major American company into removing its advertising from programs which have millions of viewers. Sears may have staff demographers who can explain why a small number of zealots is more significant statistically than a large number of John Ritter fans, but anyone who remembers the 1950s does not need charts and audience samples to explain what is going on. A tiny, noisy minority always looks dangerous since their voices may attract adherents, and Sears must suspect that the *Three's Company* viewers are not going to quit shopping at Sears because its ads disappeared from the show. Even if the show itself disappears, Sears will not suffer for its part in helping a handful of people impose their will on the country at large.

Let me offer a scenario for a 1970s remake of a 1950s hit. What the earlier decade taught us is that businessmen panic easily, not simply those who buy advertising but those whose companies turn out entertainment to sell to advertisers or to offer at your neighborhood movie house (if it survived the 1950s). Since the wrong decision on what is acceptable becomes costly in a scare situation, packagers of TV fare will give up the right to choose men and materials and turn to experts on sexual purity like the ones they once consulted on political purity. Perhaps not Wildmon and his federation, who may be hampered by sincerity for all I know, but a similar man and organization will suddenly find that the purity business pays off, in power as well as in more conventional ways. In no time at all, the television shows will be as clean as *Father Knows Best*, but by that time, as *Red Channels* taught us, the new power figures will have learned that it is not the content of the shows but the men and women who direct them, write them, act in them who are the real danger to American morality. Celebrities, who are already telling us more about their sex lives than we need to know, will be asked to make formal confessions, describing sins and naming names, and, having promised to give up extramarital sex, homosexuality, sadomasochism, bestiality and self-abuse, will be removed from the blacklist, given the purity seal and allowed to work again. Those who refuse to kiss and tell will take refuge in their savings, exile or a nonmedia job and hope to weather the storm of righteousness.

Is it any wonder that I feel forced to stay home and watch *Charlie's Angels* when what I really want to do is to go shopping at Sears? Do you suppose there's a Ford in my future? □

Crossword Puzzle No. 1738

FRANK W. LEWIS



ACROSS

1 and 2 down Tia and Tante? Our government maintains such. (7,9)
5 What should many young people be doing with them? 11! (7)
9 Are licenses in part a thing of the past?
10 You never see it when the car is headed your way, being not descriptive of a heavy shadow. (4-5)
11 Nurses should be so good—with listening, possibly. (9)
12 A recent controversial issue some wanted to ditch. (5)
13 Chopped-up pine log, sometimes associated with a ladder in humorous accounts. (7)
15 Not so square in back or beneath. (7)
17 Two things introduced in WW-1, with expensive fillings required nowadays. (3,4)
19 Sort of true, and crazy about it, being well aged. (7)
21 In part, took a pig to be a wild animal. (5)
23 People like Hawthorne might—since they're responsible for stories. (9)
25 Equipped with a jug angled around the edges. (9)
26 Where chalk sometimes is put should be exactly timed. (2,3)
27 How a drunken Scot enters? (Catching behavior if one does.) (5,2)
28 What it should hold is certainly light.

DOWN

1 The sign of a disposing person? (3,4)
2 See 1 across
3 and 20 down Perhaps what a few Indians claim is capable of throwing some light on things. (12)
4 See 17 down.
5 Drink for one of the things Ali claimed to be. (7)
6 Auto school, having nothing to lose, could make it a TV success. (9)
7 Should it logically be played by heart?
8 Did the early one pay his bills promptly? (7)
14 Is it Annie that could imply such silly sayings? (9)
16 They're probably utterly forsaken. (9)
17 and 4 One isn't worth much, but evidently a saintly performance is free. (4-3-7)
18 Thicken the possible result where you might be cooking. (7)
19 Such things might be nice to hear—though you might consider me sort of old at 99. (7)
20 See 3 down
22 Sort of eager to say "yes." (5)
24 So the change is made, but probably not these here. (5)

SOLUTION TO PUZZLE NO. 1737

ACROSS: 1 Registrations; 9 Grand; 10 Ruritania; 11 Topical; 12 Chateau; 13 Abets; 14 Guatemala; 16 Deserters; 18 Irish; 19 Rebecca; 21 Callers; 22 Viability; 23 Motto; 24 Theoretically. DOWN: 1 Right-hand drive; 2 Grapplers; 3 Seduces; 4 Rural; 5 Turncoats; 6 Outrage; 7 Since; 8 Natural history; 14 Grenadier; 15 Alimental; 17 Recline; 18 Islamic; 20 Boast; 21 Crypt.

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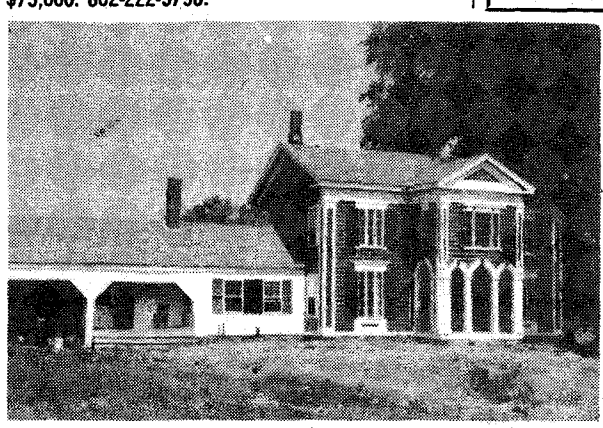

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